EXHIBIT A

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					William Condon – July 29,	2020						
	Plaintiffs' D	esignation	s	Defendant's Objections	Rearden's Response	Ruling	Defen	dant's Cour	nter-Design	ations	Plaintiffs'	Ruling
		1									Objections	
Page	Line Start	Page End	Line End				Page	Line Start	Page End	Line End		
Start							Start					
5	10	5	15				9	10	9	13	Disney's	
											counterdesignati	
											ons are not	
											sequential with	
											and do not	
											relate to	
											Rearden's	
											designations,	
											and thus will	
											result in juror	
											confusion. They	
											should be	
											stricken on that	
											basis. Disney	
											may offer them	
											in its case in	
											chief. Rearden	
											incorporates this	
											objection into	
											each and every	
											Disney	
											counterdesignati	
	5 20	6	1				14	25	15	1	on.	
							15					
10	_	10					31			5		
10							34		34	_		
10	7 22	10	25				34	4	34	20		

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11	8	11	. 20	1002, 403 - If Plaintiffs choose to read this testimony to the jury, Plaintiffs must also present the recording about which the witness is being examined; it is confusing and unduly prejudicial for the jury to hear testimony about a recording that is not before them and FRE 1002 prohibits the submission of counsel's characterization of contents in lieu of the recording itself.	On day 1 of Mr. Condon's deposition, the videographer Rearden ordered did not appear. Consequently, there is no video transcript. But the videos are exhibits to the deposition and the referenced portions may be played to the jury. Rearden addressed this issue on day 2 of the deposition, and may choose to present the video transcript of that deposition in lieu of this and the following designations from day 1.	35	11	36	15	
12	13	12	. 15	3		39	20	40	9	
12	18			this testimony to the jury, Plaintiffs must also present the recording about which the witness is being examined; it is confusing and unduly prejudicial for the jury to hear testimony about a recording that is not before them and FRE 1002 prohibits the submission of counsel's characterization of contents in lieu of the recording itself.	See above.	41	4	41	6	
13	2	13	•	to read this testimony to the jury, Plaintiffs must also present the recording about which the witness is being examined; it is confusing and unduly prejudicial for the jury to hear testimony about a recording that is not before them and FRE 1002 prohibits the submission of counsel's characterization of contents in lieu of the recording itself.		51	12	51	14	
13	11	13	11	i		51	17	51	20	
14	6			7		57	15	57		

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14	10	14	17	14:10-16: 1002, 403 - If Plaintiffs choose to read this testimony to the jury, Plaintiffs must also present the recording about which the witness is being examined; it is confusing and unduly prejudicial for the jury to hear testimony about a recording that is not before them and FRE 1002 prohibits the submission of counsel's characterization of contents in lieu of the recording itself.	See above.	60	2	60	9	
14	20	14	. 23			60	18	62	5	
18	16	18								
18	22	18	24	1002, 403 - If Plaintiffs choose to read this testimony to the jury, Plaintiffs must also present the recording about which the witness is being examined; it is confusing and unduly prejudicial for the jury to hear testimony about a recording that is not before them and FRE 1002 prohibits the submission of counsel's characterization of contents in lieu of the recording itself.	See above.					
19	14	20	6							
20	8	20	9							
20	15	20	16							
20	24	21	. 4	1002, 403 - If Plaintiffs choose to read this testimony to the jury, Plaintiffs must also present the recording about which the witness is being examined; it is confusing and unduly prejudicial for the jury to hear testimony about a recording that is not before them and FRE 1002 prohibits the submission of counsel's characterization of contents in lieu of the recording itself.	See above.					
21	11	21	. 15							

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21	18	21	22	1002, 403 - If Plaintiffs choose to read	See above.				
				this testimony to the jury, Plaintiffs					
				must also present the recording about					
				which the witness is being examined; it					
				is confusing and unduly prejudicial for					
				the jury to hear testimony about a					
				recording that is not before them and					
				FRE 1002 prohibits the submission of					
				counsel's characterization of contents					
				in lieu of the recording itself.					
				and the second second second					
22	1	22	5						
22	8	22	8	FRCP 26/37, O – The Parties stipulated,	Rearden's original designation				
				and the Court ordered, the exchange of	inadvertently omitted the witness's				
				"narrowed affirmative designations" in	answer to the question. Both parties				
				light of the Court's pretrial rulings.	have supplemented their original				
				Dkt. 568. This testimony was	designations to include such				
				designated by Rearden for the first	inadvertantly omitted material.				
				time on November 8; it was therefore	Rearden has not objected when Disney				
				not timely disclosed under FRCP	did so, and the Court should overrule				
				26(a)(3) and the Case Management	Disney's objection here.				
				Order and should be excluded under					
				FRCP 37(c)(1).					

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26	25	27	٥	to read this testimony to the jury, Plaintiffs must also present the recording about which the witness is being examined; it is confusing and unduly prejudicial for the jury to hear testimony about a recording that is not before them and FRE 1002 prohibits the submission of counsel's characterization of contents in lieu of the recording itself. In addition, this question calls for improper opinion testimony; Mr. Condon is not a visual effects or technical expert and his testimony demonstrates that he lacks foundation to opine about how the MOVA technology, as opposed to other technology or artistry, contributed to the on-screen appearance of the Beast.	See above. Also, the question does not call for inadmissible opinion testimony. Mr. Condon answers questions based on his percipient knowledge. Disney's foundation objection is merely argument relating to its theory of the case.				
27	10	27	12						
27	20								
28	8								
28	14	28							
28	23	31	3	28:23-29:1: ATT, 402, 403 - Attorney objections are not relevant and may cause the jury to draw improper and prejudicial inferences. All objections and colloquy should be omitted.	This designation includes no objections, and the only "culloquy" is a representation Disney's counsel made on the record to answer a question that the witness could not answer.				
31	6	31	19	31:17-19: F, 701 - This question calls for improper opinion testimony; Mr. Condon is not a visual effects or technical expert and his testimony on re-direct (Volume 2) demonstrates that he lacks foundation to opine about how the MOVA technology, as opposed to other technology or artistry, contributed to the on-screen appearance of the Beast.	case. Mr. Condon testified based on his percipient knowledge.				
31	23	31	23						

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32	18	33	1						
33	4	33							
33	10	34							
34	21	34		34:21-22: S - The witness testified that he never reviewed or provided feedback on this document, so the question of how any feedback would have handled had it been given is purely speculative.	The question was directed to the process of creating the document and the purpose for soliciting Mr. Condon's feedback.				
36	16	37	14	37:9-13: CD - The question is compound and it is unclear which question the witness is answering.	If Disney is confused, that is what cross examination is for.				
38	13	39	1						
40	11	41							
41	7	42		41:8: FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	These designations were inadvertantly omitted from Rearden's original designations.				
42 47	4	43 47	7	1002, 403 - If Plaintiffs choose to read this testimony to the jury, Plaintiffs must also present the recording about which the witness is being examined; it is confusing and unduly prejudicial for the jury to hear testimony about a recording that is not before them and FRE 1002 prohibits the submission of counsel's characterization of contents in lieu of the recording itself.	Rearden intends to display the video referenced in the testimony to the jury.				

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47	13	47	13	1002, 403 - If Plaintiffs choose to read this testimony to the jury, Plaintiffs must also present the recording about which the witness is being examined; it is confusing and unduly prejudicial for the jury to hear testimony about a recording that is not before them and FRE 1002 prohibits the submission of counsel's characterization of contents in lieu of the recording itself.	See above.				
47	23	48	8						
48	11	48	12	1002, 403 - If Plaintiffs choose to read this testimony to the jury, Plaintiffs must also present the recording about which the witness is being examined; it is confusing and unduly prejudicial for the jury to hear testimony about a recording that is not before them and FRE 1002 prohibits the submission of counsel's characterization of contents in lieu of the recording itself.	See above.				
48	17	48	19	1002, 403 - If Plaintiffs choose to read this testimony to the jury, Plaintiffs must also present the recording about which the witness is being examined; it is confusing and unduly prejudicial for the jury to hear testimony about a recording that is not before them and FRE 1002 prohibits the submission of counsel's characterization of contents in lieu of the recording itself.	See above.				

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48 2	25 49	2 1002, 403 - If Plaintiffs ch	hoose to read See above.	
40 4	49	this testimony to the jury		
		must also present the rec		
		which the witness is being		
		is confusing and unduly p		
		the jury to hear testimon		
		recording that is not befo		
		FRE 1002 prohibits the su		
		counsel's characterization		
		in lieu of the recording its		
		403 - If Plaintiffs choose t		
		testimony to the jury, Pla		
		also present the recording		
		the witness is being exam		
		confusing and unduly pre		
		the jury to hear testimon		
		recording that is not befo		
		FRE 1002 prohibits the su		
		counsel's characterization		
		in lieu of the recording its		
		ned of the recording it		
49	6 49	7 1002, 403 - If Plaintiffs ch	hoose to read See above.	
		this testimony to the jury		
		must also present the rec		
		which the witness is being		
		is confusing and unduly p		
		the jury to hear testimon		
		recording that is not befo		
		FRE 1002 prohibits the su		
		counsel's characterization		
		in lieu of the recording its		
	-			

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49	10	49	1002, 403 - If Plaintiffs choose to read this testimony to the jury, Plaintiffs must also present the recording about which the witness is being examined; it is confusing and unduly prejudicial for the jury to hear testimony about a recording that is not before them and FRE 1002 prohibits the submission of counsel's characterization of contents in lieu of the recording itself.	See above.				
49	18	49	1002, 403 - If Plaintiffs choose to read this testimony to the jury, Plaintiffs must also present the recording about which the witness is being examined; it is confusing and unduly prejudicial for the jury to hear testimony about a recording that is not before them and FRE 1002 prohibits the submission of counsel's characterization of contents in lieu of the recording itself.	See above.				
49	23	49	1002, 403 - If Plaintiffs choose to read this testimony to the jury, Plaintiffs must also present the recording about which the witness is being examined; it is confusing and unduly prejudicial for the jury to hear testimony about a recording that is not before them and FRE 1002 prohibits the submission of counsel's characterization of contents in lieu of the recording itself.	See above.				

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50	22	51	1	1002, 403 - If Plaintiffs choose to read this testimony to the jury, Plaintiffs must also present the recording about which the witness is being examined; it is confusing and unduly prejudicial for the jury to hear testimony about a recording that is not before them and FRE 1002 prohibits the submission of counsel's characterization of contents in lieu of the recording itself.	See above.				
51	3	51	8	1002, 403 - If Plaintiffs choose to read this testimony to the jury, Plaintiffs must also present the recording about which the witness is being examined; it is confusing and unduly prejudicial for the jury to hear testimony about a recording that is not before them and FRE 1002 prohibits the submission of counsel's characterization of contents in lieu of the recording itself.	See above.				
52	20	53	22	1002, 403 - If Plaintiffs choose to read this testimony to the jury, Plaintiffs must also present the recording about which the witness is being examined; it is confusing and unduly prejudicial for the jury to hear testimony about a recording that is not before them and FRE 1002 prohibits the submission of counsel's characterization of contents in lieu of the recording itself.	See above.				
54	18	55	2						
55	7	55	15						
56	2	56	9	DOC, H - This testimony concerns a document that is not a trial exhibit and may not be published to the jury; in addition, counsel's question contains hearsay that is being offered for truth and is not subject to any exception.	The testimony concerns Condon's personal knowledge, not the document.				

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56	14	57	1:	3 56:14-22: DOC, H - This testimony	See above.						
30	14	37	1.	concerns a document that is not a trial	See above.						
				exhibit and may not be published to							
				the jury; in addition, counsel's question							
				at lines 17-19 contains hearsay that is							
				being offered for truth and is not							
—				subject to any exception.							
				57:2: FRCP 26/37, O – The Parties	This line was indavertantly omitted						
				stipulated, and the Court ordered, the	from Rearden's original designations.						
				exchange of "narrowed affirmative							
				designations" in light of the Court's							
				pretrial rulings. Dkt. 568. This							
				testimony was designated by Rearden							
				for the first time on November 8; it was							
				therefore not timely disclosed under							
				FRCP 26(a)(3) and the Case							
				Management Order and should be							
				excluded under FRCP 37(c)(1).							
				57:7-13: 1002, 403 - If Plaintiffs choose	Rearden will play the recording for the						
				to read this testimony to the jury,	jury. Rearden withdraws 57:7-13.						
				Plaintiffs must also present the							
				recording about which the witness is							
				being examined; it is confusing and							
				unduly prejudicial for the jury to hear							
				testimony about a recording that is not							
				before them and FRE 1002 prohibits							
				the submission of counsel's							
				characterization of contents in lieu of							
				the recording itself. Further,							
				Defendant objects to the incomplete							
				designation of the question without							
				the witness's answer. The answer							
				must also be designated by Plaintiffs							
				and counted against Plaintiffs' allotted							
				time for presentation of evidence.							
				time to presentation of evidence.							
			1		l .	l	L		l	l	l

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58	11	58	16	1002, 403, F, 701 - If Plaintiffs choose	Rearden will play the recording for the				
				to read this testimony to the jury,	jury. Disney's foundation objection is				
				Plaintiffs must also present the	merely an argument of its theory of the				
				recording about which the witness is	case.				
				being examined; it is confusing and					
				unduly prejudicial for the jury to hear					
				testimony about a recording that is not					
				before them and FRE 1002 prohibits					
				the submission of counsel's					
				characterization of contents in lieu of					
				the recording itself. Further, this					
				question calls for improper opinion					
				testimony; Mr. Condon is not a visual					
				effects or technical expert and his					
				testimony on re-direct (Volume 2)					
				demonstrates that he lacks foundation					
				to opine about how the MOVA					
				technology contributed to the on-					
				screen appearance of the Beast.					
58	20	59	2	2 58:21: FRCP 26/37, O – The Parties	These designations were inadvertantly				
				stipulated, and the Court ordered, the	omitted from Rearden's original				
				exchange of "narrowed affirmative	designations.				
				designations" in light of the Court's					
				pretrial rulings. Dkt. 568. This					
				testimony was designated by Rearden					
				for the first time on November 8; it was					
				therefore not timely disclosed under					
				FRCP 26(a)(3) and the Case					
				Management Order and should be					
				excluded under FRCP 37(c)(1).					

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				Plaintiffs choose to read this testimony to the jury, Plaintiffs must also present the recording about which the witness is being examined; it is confusing and unduly prejudicial for the jury to hear testimony about a recording that is not before them and FRE 1002 prohibits the submission of counsel's characterization of contents in lieu of the recording itself. Further, this question calls for improper opinion testimony; Mr. Condon is not a visual effects or technical expert and his testimony on re-direct (Volume 2) demonstrates that he lacks foundation to opine about how the MOVA technology contributed to the onscreen appearance of the Beast.	Rearden will play the video for the jury. Disney's foundation objection just reargues their theory of the case. Conon testified as to his recollection of what he said.			
59	9	59	13	1002, 403 - If Plaintiffs choose to read this testimony to the jury, Plaintiffs must also present the recording about which the witness is being examined; it is confusing and unduly prejudicial for the jury to hear testimony about a recording that is not before them and FRE 1002 prohibits the submission of counsel's characterization of contents in lieu of the recording itself.	Rearden will play the video for the jury.			
59	16	59	23	59:20-22: 1002, 403 - If Plaintiffs choose to read this testimony to the jury, Plaintiffs must also present the recording about which the witness is being examined; it is confusing and unduly prejudicial for the jury to hear testimony about a recording that is not before them and FRE 1002 prohibits the submission of counsel's characterization of contents in lieu of the recording itself.	Rearden will play the video for the jury.			

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66	9	66	14	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of					
				"narrowed affirmative designations" in	Disney does not object				
				light of the Court's pretrial rulings.					
				Dkt. 568. This testimony was					
				designated by Rearden for the first					
				time on November 8; it was therefore					
				not timely disclosed under FRCP					
				26(a)(3) and the Case Management					
				Order and should be excluded under					
				FRCP 37(c)(1).					
				DOC - This testimony concerns a	Rearden does not intend to publish				
				document that is not a trial exhibit and	documents that are not trial exhibits.				
				may not be published to the jury.					
71	6	71	15	DOC, H - This testimony concerns a	The question is not hearsay, because it				
				document that is not a trial exhibit and	1				
				, , , , , , , , , , , , , , , , , , , ,	purpose of proving the matter				
				Further, counsel's question at lines 6-	asserted. The question is addressed to				
				10 includes hearsay that is being	Condon's percipient knowledge.				
				offered for truth and is not subject to					
				any exception.					
				1	Wrong. We previously designated 71:5-				
				and the Court ordered, the exchange of	71.23.				
				"narrowed affirmative designations" in					
				light of the Court's pretrial rulings.					
				Dkt. 568. This testimony was					
				designated by Rearden for the first					
				time on November 8; it was therefore					
				not timely disclosed under FRCP					
				26(a)(3) and the Case Management					
				Order and should be excluded under					
			_	FRCP 37(c)(1).					
85	8	85	9						

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85	12	87		87:11-14: FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be	This testimony was inadvertantly omitted from Rearden's original designations.					
				excluded under FRCP 37(c)(1).						
92	23	94	3	402/403: Evidence of post-injunction	The testimony does not say that the					
				conduct is irrelevant in light of the	referenced conduct occurred after the					
				Court's summary judgment ruling that	injunction. And the Court has not					
				Defendant is not liable for any post-	ruled that post-injunciton evidence is					
				injunction conduct.	inadmissible for any purpose.					
	,			,	William Condon – July 30, 2020					
103	25	104	3			104	4	104	13	
104	14	104	25			125	5	_	9	
106	25	107	8	107:3-7: 1002, 403 - Misstates Mr.	This objection makes no sense.	126	12	126	21	
				Condon's Vol. 1 testimony. If Plaintiffs	I •					
				choose to present this testimony to the	misstate testimony.					
				jury, they must also present the						
				testimony to which counsel is referring						
				and the entire presentation should be						
				counted against Plaintiffs' allocated						
				time for the presentation of evidence.						
				It would be confusing and prejudicial,						
				and would not be permissible under						
				FRE 1002, for the jury to be presented						
				with counsel's characterization of Mr.						
				Condon's testimony in lieu of the						
				testimony.						

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107	10	107	18	107:14-18: 1002, 403 - Misstates Mr.	See above.	126	24	127	6	
				Condon's Vol. 1 testimony. If Plaintiffs						
				choose to present this testimony to the						
				jury, they must also present the						
				testimony to which counsel is referring						
				and the entire presentation should be						
				counted against Plaintiffs' allocated						
				time for the presentation of evidence.						
				It would be confusing and prejudicial,						
				and would not be permissible under						
				FRE 1002, for the jury to be presented						
				with counsel's characterization of Mr.						
				Condon's testimony in lieu of the						
				testimony.						
				,						
107	21	108	8	108:2-8: 1002, 403 - Misstates Mr.	See above.	127	7	127	12	
				Condon's Vol. 1 testimony. If Plaintiffs						
				choose to present this testimony to the						
				jury, they must also present the						
				testimony to which counsel is referring						
				and the entire presentation should be						
				counted against Plaintiffs' allocated						
				time for the presentation of evidence.						
				It would be confusing and prejudicial,						
				and would not be permissible under						
				FRE 1002, for the jury to be presented						
				with counsel's characterization of Mr.						
				Condon's testimony in lieu of the						
				testimony.						
108	12	108	18			127	19	128	8	

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108	21	109	5	108:25-109:5: 1002, 403 - Misstates Mr. Condon's Vol. 1 testimony. If Plaintiffs choose to present this testimony to the jury, they must also present the testimony to which counsel is referring and the entire presentation should be counted against Plaintiffs' allocated time for the presentation of evidence. It would be confusing and prejudicial, and would not be permissible under FRE 1002, for the jury to be presented with counsel's characterization of Mr. Condon's testimony in lieu of the testimony.		128	10	128	10	
100		400				420	4.5	420	40	
109 109	9 12					128 129	15 12	128 130	19 6	
109	21	1109				130	10	130	25	
110	13			110:25-111:2: 1002, 403, F, 701 -	See above. Furthermore, there is no	185	18	186	22	
110	13			Misstates Mr. Condon's Vol. 1	inadmissible opinion testimony.	103	16	130	22	
				testimony. If Plaintiffs choose to	Condon testified from his percipient					
				present this testimony to the jury, they	knowledge. Disney is just arguing its					
				must also present the testimony to	theory of the case rather than stating					
				which counsel is referring and the	an evidentiary objection.					
				entire presentation should be counted	, , ,					
				against Plaintiffs' allocated time for the						
				presentation of evidence. It would be						
				confusing and prejudicial, and would						
				not be permissible under FRE 1002, for						
				the jury to be presented with counsel's						
				characterization of Mr. Condon's						
				testimony in lieu of the testimony. In						
				addition, this question calls for						
				improper opinion testimony; Mr.						
				Condon is not a visual effects or						
				technical expert and his testimony						
				demonstrates that he lacks foundation						
				to opine about how MOVA contributed						
				to the on-screen appearance of the						
				Beast.						
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111	6	111	11	1 111:9-11: 1002, 403, F, 701 - Misstates	See above.	186	24	186	24	
				Mr. Condon's Vol. 1 testimony. If						
				Plaintiffs choose to present this						
				testimony to the jury, they must also						
				present the testimony to which						
				counsel is referring and the entire						
				presentation should be counted						
				against Plaintiffs' allocated time for the						
				presentation of evidence. It would be						
				confusing and prejudicial, and would						
				not be permissible under FRE 1002, for						
				the jury to be presented with counsel's						
				characterization of Mr. Condon's						
				testimony in lieu of the testimony. In						
				addition, this question calls for						
				improper opinion testimony; Mr.						
				Condon is not a visual effects or						
				technical expert and his testimony						
				demonstrates that he lacks foundation						
				to opine about how MOVA contributed						
				to the on-screen appearance of the						
				Beast.						

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111	15	111	21	111:20-21: 1002, 403, F, 701 - Misstates See	e above.	187	2	187	7	
				Mr. Condon's Vol. 1 testimony. If						
				Plaintiffs choose to present this						
				testimony to the jury, they must also						
				present the testimony to which						
				counsel is referring and the entire						
				presentation should be counted						
				against Plaintiffs' allocated time for the						
				presentation of evidence. It would be						
				confusing and prejudicial, and would						
				not be permissible under FRE 1002, for						
				the jury to be presented with counsel's						
				characterization of Mr. Condon's						
				testimony in lieu of the testimony. In						
				addition, this question calls for						
				improper opinion testimony; Mr.						
				Condon is not a visual effects or						
				technical expert and his testimony						
				demonstrates that he lacks foundation						
				to opine about how MOVA contributed						
				to the on-screen appearance of the						
				Beast.						

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112	1	112	8	3 112:6-8: 1002, 403, F, 701 - Misstates	See above.	187	10	187	22	
				Mr. Condon's Vol. 1 testimony. If						
				Plaintiffs choose to present this						
				testimony to the jury, they must also						
				present the testimony to which						
				counsel is referring and the entire						
				presentation should be counted						
				against Plaintiffs' allocated time for the						
				presentation of evidence. It would be						
				confusing and prejudicial, and would						
				not be permissible under FRE 1002, for						
				the jury to be presented with counsel's						
				characterization of Mr. Condon's						
				testimony in lieu of the testimony. In						
				addition, this question calls for						
				improper opinion testimony; Mr.						
				Condon is not a visual effects or						
				technical expert and his testimony						
				demonstrates that he lacks foundation						
				to opine about how MOVA contributed						
				to the on-screen appearance of the						
				Beast.						
112	12	112	18	3 112:18: F, 701 - This question calls for	See above.	188	9	189	8	
				improper opinion testimony; Mr.						
				Condon is not a visual effects or						
				technical expert and his testimony						
				demonstrates that he lacks foundation						
				to opine about how MOVA contributed						
				to the on-screen appearance of the						
				Beast.						

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112	22	113	13	113:2-4: 1002, 403, F, 701 - Misstates	See above.	189	10	189	10	
				Mr. Condon's Vol. 1 testimony. If						
				Plaintiffs choose to present this						
				testimony to the jury, they must also						
				present the testimony to which						
				counsel is referring and the entire						
				presentation should be counted						
				against Plaintiffs' allocated time for the						
				presentation of evidence. It would be						
				confusing and prejudicial, and would						
				not be permissible under FRE 1002, for						
				the jury to be presented with counsel's						
				characterization of Mr. Condon's						
				testimony in lieu of the testimony. In						
				addition, this question calls for						
				improper opinion testimony; Mr.						
				Condon is not a visual effects or						
				technical expert and his testimony						
				demonstrates that he lacks foundation						
				to opine about how MOVA contributed						
				to the on-screen appearance of the						
				Beast.						

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	113:9-13: 1002, 403, F, 701 - Misstates	See above.	189	12	190	5	
	Mr. Condon's Vol. 1 testimony. If						
	Plaintiffs choose to present this						
	testimony to the jury, they must also						
	present the testimony to which						
	counsel is referring and the entire						
	presentation should be counted						
	against Plaintiffs' allocated time for the	!					
	presentation of evidence. It would be						
	confusing and prejudicial, and would						
	not be permissible under FRE 1002, for						
	the jury to be presented with counsel's						
	characterization of Mr. Condon's						
	testimony in lieu of the testimony. In						
	addition, this question calls for						
	improper opinion testimony; Mr.						
	Condon is not a visual effects or						
	technical expert and his testimony						
	demonstrates that he lacks foundation						
	to opine about how MOVA contributed						
	to the on-screen appearance of the						
	Beast.						

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113	17	113	2.4	112.21 24.1002 402 F 701 Minstates	Can abaua	190	8	190	10	
113	17	113	24	113:21-24: 1002, 403, F, 701 - Misstates	See above.	190	8	190	10	
				Mr. Condon's Vol. 1 testimony. If						
				Plaintiffs choose to present this						
				testimony to the jury, they must also						
				present the testimony to which						
				counsel is referring and the entire						
				presentation should be counted						
				against Plaintiffs' allocated time for the						
				presentation of evidence. It would be						
				confusing and prejudicial, and would						
				not be permissible under FRE 1002, for						
				the jury to be presented with counsel's						
				characterization of Mr. Condon's						
				testimony in lieu of the testimony. In						
				addition, this question calls for						
				improper opinion testimony; Mr.						
				Condon is not a visual effects or						
				technical expert and his testimony						
				demonstrates that he lacks foundation						
				to opine about how MOVA contributed						
				' ·						
				to the on-screen appearance of the						
				Beast.						
114	3	114	0	114:7-9: F, 701 - This question calls for	See above.	190	12	191	16	
114	3	114	3	improper opinion testimony; Mr.	see above.	130	12	191	10	
				Condon is not a visual effects or						
				technical expert and his testimony						
				demonstrates that he lacks foundation						
				to opine about how MOVA contributed						
				to the on-screen appearance of the						
				Beast.						
114	13	114	13			191	18	192	1	
121	18	121	21			192	3	193	12	
122	2	123	1			193	13	194	24	
123	13	123	15	F, 701 - This question calls for improper	See above.					
				opinion testimony; Mr. Condon is not a						
				visual effects or technical expert and						
				his testimony demonstrates that he						
				lacks foundation to opine about how						
				MOVA contributed to the on-screen						
				appearance of the Beast.						

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123	19	124		124:6-7: F, 701 - This question calls for improper opinion testimony; Mr. Condon is not a visual effects or technical expert and his testimony demonstrates that he lacks foundation to opine about how MOVA contributed to the on-screen appearance of the Beast.	See above.				
124	11	124		124:22-23: F, 701, 403 - Misstates the witness's testimony; the witness was referring to the one image in the trailer, not the entire scene. Counsel's inaccurate characterization creates a prejudicial risk of jury confusion about MOVA's use in the entire scene, which will likely be a focus of Plaintiffs' causal nexus presentation at trial. In addition, this question calls for improper opinion testimony; Mr. Condon is not a visual effects or technical expert and his testimony demonstrates that he lacks foundation to opine about how MOVA contributed to the on-screen appearance of the Beast.	See above.				
125	4	125	4						
125	10	125	21						
125	24	126	1						
126	4	126	11						
134	3	134		DOC - This testimony concerns a document that is not a trial exhibit and may not be published to the jury					
135	16	136	11	DOC - This testimony concerns a document that is not a trial exhibit and may not be published to the jury	Rearden does not intend to publish documents that are not trial exhibits.				
136	23	136	25						

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149	18	149	24	149:24: F, 701 - This question calls for improper opinion testimony; Mr. Condon is not a visual effects or technical expert and his testimony demonstrates that he lacks foundation to opine about how MOVA contributed to the on-screen appearance of the Beast.	Condon is testifying with respect to his percipient knowledge. Disney is just arguing its theory of the case.				
150	4	150	4						
159	4	159		DOC, 402, 403 - This testimony concerns a document that is not a trial exhibit and may not be published to the jury. Further, evidence of postinjunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct.	The Court has not ruled that post- injunction evidence is inadmissible for any purpose.				
164	14	165	2	402, 403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct.	The Court has not ruled that post- injunction evidence is inadmissible for any purpose.				

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_		Ste	ve Gaub - March 4, 2023								
Plaintiffs' Designations Des	efendant's Objections	Rearden's Response	Defendant's Confidentiality	Ruling Defendant's Counter-Design				ations		Defendant's	Ruling
			Designation							Confidentiality	
										Designation	\perp
Page Start Line Start Page End Line End					Page Start	Line Start	Page End	Line End			
8 9 8 16		Disney's objections are too numerous			31	13	31	14	Disney's		
		and so lacking in merit that Rearden							counterdesignations		
		will not respond individually. Often,							are not sequential		
		testimony Disney claims was not							with and do not		
		previously designated was, in fact,							relate to Rearden's		
		designated previously. Many							designations, and		
		objections to the form of the question							thus will result in		
		that should have been asserted in the							juror confusion. They		
		deposition and were not, so they are							should be stricken on		
		waived. Many presume or assert that							that basis. Disney		
		the Court has excluded evidence							may offer them in its		
		where in fact there is no such order.							case in chief.		
		Many assert that objections or							Rearden incorporates		
		culloquy has been designated when in							this objection into		
		fact there is none in the designation.							each and every		
		Many are not evidentiary objections							Disney		
		but rather Disney arguing its theory of							counterdesignation.		
		the case or arguing with the witness									
		over testimony that it does not like.									
		Many are relevance objections that the									
		Court has stated would likely be									
		overruled. Rearden requests that the									
		Court overrule all of Disney's									
		objections as excessive. Rearden									
		incorporates this response into each									
		and every Disney objection.									
8 25 9 1					31		31				_
10 6 10 11					31		31				\perp
	RCP 26/37, O – The Parties stipulated,		Confidential		31	24	32	1			
	nd the Court ordered, the exchange										
	"narrowed affirmative designations"										
	light of the Court's pretrial rulings.										
	kt. 568. This testimony was										
	esignated by Rearden for the first										
	me on November 8; it was therefore										
	ot timely disclosed under FRCP										
	6(a)(3) and the Case Management										
	rder and should be excluded under										
	RCP 37(c)(1).										
19 1 19 12			Confidential		32	3	32	6			+
19 16 19 21			Confidential		32		32				+
13 10 19 21			Communication	l	32	8	32	11	1		

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24	10	24	2/	ols 400 A4 G 1 1 1 1	0 61 .:1	22		22	40		
21	18	21	20	S, 402. Mr. Gaub does not work for	Confidential	32	22	33	10		
				DD3 and does not know Mr. Port's							
				role; Mr. Port himself testified to his							
				role.							
21	22	21	22	2	Confidential	33	12	33	19		
22	10		12	2 22:10-11: V, L. Vague as to "report to"	Confidential	35	6	35	13		
				and calls for a legal conclusion to the							
				extent it is asking about the legal							
				relationship between the two men							
				who did not work for the same							
				company.							
22	24	23			Confidential	35	15	35	18		
23	12	23		9 23:14-19: 402, L. Lay witness's	Confidential	36	7	36	17		
23	12	23	13		Comidential	30	,	30	17		
				understanding of a contract he has not							
				seen before is irrelevant, calls for a							
				legal interpretation of the contract.							
25	8	25	11	1 25:8-10: ATT, Arg, L, F, 402/403.	Confidential	45	20	46	15		
				Question includes counsel's							
				interpretation of the meaning of the							
				contract and asks Mr. Gaub to read							
				and interpret a contract to which he is							
				not a party; the witness's answer that							
				he cannot interpret the contract is not							
				relevant to any claim in the case.							
25	15	25	18	3 25:15-16: ATT, Arg, 402/403, V.	Confidential	58	14	58	17	Confidential	
				Question includes counsel's							
				interpretation of the meaning of the							
				contract; vague and ambiguous as to							
				"the producer" in this context.							
30	16	30	18	3		68	14	68	19		
30	20		5	5		68	25	69	7		
31	7		11	1		74	18		22		
33	21	35	5	5		76	15		4		
57	18		21		Confidential	79	10		13		
58	9		13		 Confidential	79	16		19		
58	18		22		Confidential	79	21		24		
59	1	59	3	3 Arg, ATT, L, 103, 402, 403. Question	Confidential	81	23	81	25		
				assumes an interpretation of a							
				contract which Mr. Gaub is not a							
				signatory to and testified he did not							
				recognize.							
59	5	59	10		Confidential	82	2	82	11		
59	12	59	16	5 59:15-16: Arg, ATT, L, 103, 402, 403.	Confidential	83	14		16		
				Question assumes an interpretation of							
				a contract which Mr. Gaub is not a							
				signatory to and testified he did not							
				recognize.							
				. сооб	Ļ					.	

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59	18	60		59:23-60:2: Arg, ATT, L, 103, 402, 403.	Confidential		83	18	83	21		
	10	00	2	Question assumes an interpretation of	comucinia		05	10	03	21		
				a contract which Mr. Gaub testified he								
				did not recognize.								
				did not recognize.								
60	4	60	10	60:6-10: Arg, ATT, L, 103, 402, 403.	Confidential		83	23	84	2		
				Question assumes an interpretation of								
				a contract which Mr. Gaub is not a								
				signatory to and testified he did not								
				recognize.								
60	17	60	17		Confidential		93	10	93	10		
62	23	63	2	Arg, ATT, L, 103, 402, 403. Question	Confidential		93	12	93	15		
				assumes an interpretation of a								
				contract which Mr. Gaub is not a								
				signatory to and testified he did not								
				recognize.								
63	4	63	7	63:6-7: Arg, ATT, L, 103, 402, 403.	Confidential		93	17	93	20	 	
				Question assumes an interpretation of								
				a contract which Mr. Gaub is not a								
				signatory to and testified he did not								
				recognize.								
63	9	63	10		Confidential		94	12	94			
64	9	64	9				94	21	94	23		
64	21	65	14	65:11-14: S, 402, 403. Mr. Gaub is not			100	22	101	7		
				a Disney employee is being asked to								
				speculate as to whether a disney email								
				address correlates with employment in								
				all instances.								
65	17	66	16	65:21: S, 402, 403. Mr. Gaub is not a			105	5	105	6		
				Disney employee is being asked to								
				speculate as to whether a disney email								
				address correlates with employment in								
				all instances.								
				65:23-66:4: 402, 403, 103, Arg, ATT, H.			105	8	105	11		
				Plaintiffs' counsel is merely reading								
				excerpts from a document that the								
				witness has not seen; no relevance to								
				the fact that the witness sees what								
				counsel is reading; none Disney								
				employee's email statements are								
				hearsay to which no exception applies.								
+				66:6-11: 402, 403, 103, Arg, ATT, H.		++++	105	14	105	15		+-
				Plaintiffs' counsel is merely reading			103	14	103	13		
				excerpts from a document that the								
				witness has not seen; no relevance to								
				the fact that the witness sees what								
				counsel is reading; none Disney								
				employee's email statements are								
				hearsay to which no exception applies.								
L				 								

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				1		, ,	,					
1				66:13-20: 402, 403. Irrelevant whether			107	15	107	18		
				an independent contractor was ever								
				shown a a press inquiry sent to Disney.								
				shown a a press inquiry sent to dishey.								
66	19	66	20	402, 403. Irrelevant whether an			107	23	108	14		
				independent contractor was ever								
				shown a a press inquiry sent to Disney.								
66	24	66	24	1			108	16	108	20		
67	15	67	16	5			108	23	109	9		
68	8	68	13				110	5		8		
						+						
68	20	68	24	4 402, 403, 103, Arg, ATT, H. Plaintiffs'			110	11	111	8		
				counsel is merely reading excerpts								
				from a document that the witness has								
				not seen; no relevance to the fact that								
				the witness sees what counsel is								
				reading, and the contents of the news								
				article are hearsay to which no								
				•								
				exception applies.								
69	Q	69	16	402, 403, F. Question assumes		1	118	7	118	۵		
03	Ö	03	10				110	,	110	,		
				someone at Disney who knew of Mr.								
				Gaub read the article, an assumption								
				for which there is no foundation.								
				Irrelevant whether anyone from Disney								
				1								
				called an independent contractor's								
				attention to a news article								
73	19	73	2.0	402, 403, H, Untimely. Designation is			142	22	142	25		
/3	19	/3	23				142	22	142	25		
				irrelevant after the Court's MSJ ruling								
				on post-injunction work and was								
				added late and after that ruling.								
				added late and arter that runing.								
i T	Т	T		FRCP 26/37, O – The Parties stipulated,		1 7						
				and the Court ordered, the exchange								
1												
]				of "narrowed affirmative designations"								
1				in light of the Court's pretrial rulings.								
				Dkt. 568. This testimony was								
1				designated by Rearden for the first								
1				· ·								
				time on November 8; it was therefore								
				not timely disclosed under FRCP								
				26(a)(3) and the Case Management								
]				Order and should be excluded under								
				FRCP 37(c)(1).								
1												
74	2	74		402, 403, H, Untimely. Designation is		1 1	143	2	143	3		
[′ ⁻ [2	′ →	-				143	2	143	3		
1				irrelevant after the Court's MSJ ruling								
				on post-injunction work and was								
1				added late and after that ruling.								
					l .	1						

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						,						
				FRCP 26/37, O – The Parties stipulated,								
				and the Court ordered, the exchange								
				of "narrowed affirmative designations"								
				in light of the Court's pretrial rulings.								
				Dkt. 568. This testimony was								
				designated by Rearden for the first								
				time on November 8; it was therefore								
				not timely disclosed under FRCP								
				26(a)(3) and the Case Management								
				Order and should be excluded under								
				FRCP 37(c)(1).								
75	1	75	4	402, 403, H, Untimely. Designation is			144	18	145	8		
				irrelevant after the Court's MSJ ruling								
				-								
				on post-injunction work and was								
1	1			added late and after that ruling.		1						
				FRCP 26/37, O – The Parties stipulated,								1
1				and the Court ordered, the exchange		1						
				of "narrowed affirmative designations"		1						
	1			in light of the Court's pretrial rulings.		1						
						1						
				Dkt. 568. This testimony was		1						
				designated by Rearden for the first		1						
	1			time on November 8; it was therefore		1						
	1			not timely disclosed under FRCP		1						
				26(a)(3) and the Case Management								
				Order and should be excluded under								
				FRCP 37(c)(1).								
	_									_		
75	6	75	6	402, 403, H, Untimely. Designation is			145	10	146	5		
				irrelevant after the Court's MSJ ruling								
				on post-injunction work and was								
				added late and after that ruling.								
				FRCP 26/37, O – The Parties stipulated,		1						
				and the Court ordered, the exchange		1						
	1					1						
				of "narrowed affirmative designations"		1						
				in light of the Court's pretrial rulings.		1						
				Dkt. 568. This testimony was		1						
1	1			designated by Rearden for the first		1						
1				time on November 8; it was therefore		1						
1	1					1						
1	1			not timely disclosed under FRCP		1						
1				26(a)(3) and the Case Management		1						
				Order and should be excluded under		1						
1				FRCP 37(c)(1).								
77		78	5				146	16		16	<u> </u>	
78			11		· · · · · · · · · · · · · · · · · · ·		146	18	147	8		
78			15									
78			17									
80	2	80	23									

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80	2.	81	9							
82				F, Arg, S. Question assumes that						
				"editorial made the selections," an						
				assumption that is contrary to prior						
				testimony and lacks foundation. Calls						
				for speculation about what other						
				individuals may have done.						
82				l						
95		1 95	20	95:2-13: 402, 403, H, L, ATT. Counsel is						
				merely reading an article the witness						
				has not seen; the injunction and any						
				subsequent conduct is no longer						
				relevant after the Court's MSJ ruling,						
				the article's headline is hearsay being						
				used for the truth of the matter.						
				95:17-20: 402, 403, ATT, F Question						
				assumes facts for which there is no						
				foundation; the injunction and any						
				subsequent conduct is no longer						
				relevant after the Court's MSJ ruling,						
				the article's headline is hearsay being						
				used for the truth of the matter.						
	_									
95										
96	1:	96	14	402, 403, ATT, F Question assumes						
				facts for which there is no foundation;						
				the injunction and any subsequent						
				conduct is no longer relevant after the						
				Court's MSJ ruling, the article's						
				headline is hearsay being used for the						
				truth of the matter.						
96				7	 					
98	2:	98	25	5	 					
99	1	3 100	8	99:13-19: 402, 403, ATT, Arg. Post					 	
				injunction activity is irrelevant after						
				Court's MSJ ruling; question is		1				
				intended to suggest contrary to MSJ -		1				
				- that MOVA was used for BATB post						
				injunction; counsel is merely reading a						
				document into the record		1				
				document into the record						
L	ļ	↓		<u> </u>		<u> </u>	 		 	

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				99:21-100:3: 402, 403, ATT, Arg. Post injunction activity is irrelevant after Court's MSJ ruling; question is intended to suggest contrary to MSJ that MOVA was used for BATB post injunction; counsel is merely reading a document into the record					
				100:5: 402, 403. Post injunction activity is irrelevant after Court's MSJ ruling; question is intended to suggest contrary to MSJ that MOVA was used for BATB post injunction.					
100	13	100	18	100:13-17: 402, 403, ATT, Arg. Post injunction activity is irrelevant after Court's MSJ ruling; question is intended to suggest contrary to MSJ that MOVA was used for BATB post injunction; counsel is merely reading a document into the record					
101	9	101	10	402, 403, V, Arg. Post injunction activity is irrelevant after Court's MSJ ruling; question is intended to suggest -contrary to MSJ that MOVA was used for BATB post injunction; question is vague as to "selection" and argumentative.					
101	16	101	22	402, 403, ATT, Arg. Post injunction activity is irrelevant after Court's MSJ ruling; question is intended to suggest -contrary to MSJ - that MOVA was used for BATB post injunction; counsel is merely reading a document into the record					
104	14	104	21	402, 403, ATT, Arg. Post injunction activity is irrelevant after Court's MSJ ruling; question is intended to suggest - contrary to MSJ that MOVA was used for BATB post injunction; counsel is merely reading a document into the record					

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105	17	105	21	402, 403, ATT, Arg. Post injunction activity is irrelevant after Court's MSJ ruling; question is intended to suggest - contrary to MSJ that MOVA was used for BATB post injunction; the question is plainly argumentative.					
106	1	106		106:7-10: 402, 403, ATT, Arg. Post injunction activity is irrelevant after Court's MSJ ruling; question is intended to suggest contrary to MSJ that MOVA was used for BATB post injunction; the question is plainly argumentative.					
106	13	106	13	402, 403, ATT, Arg. Post injunction activity is irrelevant after Court's MSJ ruling; question is intended to suggest - contrary to MSJ that MOVA was used for BATB post injunction; the question is plainly argumentative.					
106	16	106	17						
115	17	115	21						
115	25	116	12	115:25-116:5: 402, 403, ATT, Arg, H. Post injunction activity is irrelevant after Court's MSJ ruling; question is intended to suggest contrary to MSJ - that MOVA was used for BATB post injunction; the contents of the email are hearsay to which no exception applies including because counsel has not laid a business record; counsel is merely reading portions of the email into the record.					
				116:7-9: 402, 403, ATT, Arg, H. Post injunction activity is irrelevant after Court's MSJ ruling; question is intended to suggest contrary to MSJ that MOVA was used for BATB post injunction; the contents of the email are hearsay to which no exception applies including because counsel has not laid a business record; counsel is merely reading portions of the email into the record.					

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				116:11-12: 402, 403, ATT, Arg, H. Post						
				injunction activity is irrelevant after						
				1 -						
				Court's MSJ ruling; question is						
				intended to suggest contrary to MSJ -						
				- that MOVA was used for BATB post						
				injunction; the contents of the email						
				are hearsay to which no exception						
				applies including because counsel has						
				not laid a business record.						
116	15	116	17							
116		117	15	116:20-25: 402, 403, ATT, Arg, H. Post						
				injunction activity is irrelevant after						
				Court's MSJ ruling; question is						
				intended to suggest contrary to MSJ -						
				- that MOVA was used for BATB post						
				injunction; the contents of the email						
				-						
				are hearsay to which no exception						
				applies including because counsel has						
				not laid a business record; counsel is						
				merely reading portions of the email						
				into the record.						
				117:2-10: 402, 403, ATT, Arg, H. Post						
				injunction activity is irrelevant after						
				Court's MSJ ruling; question is						
				intended to suggest contrary to MSJ -						
				- that MOVA was used for BATB post						
				injunction; the contents of the email						
				are hearsay to which no exception						
				applies including because counsel has						
				not laid a business record; counsel is						
				merely reading portions of the email						
				into the record.						
						ļ				
				117:12-15: 402, 403, ATT, Arg, H, S.						
				Post injunction activity is irrelevant						
				after Court's MSJ ruling; question is						
				intended to suggest contrary to MSJ -						
				- that MOVA was used for BATB post						
				injunction; the contents of the email						
				are hearsay to which no exception						
				applies including because counsel has						
				not laid a business record; counsel is						
				merely reading portions of the email						
				into the record; calls for speculation as						
				to intent of the email author						
				to intent of the email author						
L	l					<u> </u>				

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117	18	118	1 117:23-118:1: 402, 403, ATT, Arg, H, S. Post injunction activity is irrelevant after Court's MSJ ruling; question is intended to suggest — contrary to MSJ - that MOVA was used for BATB post injunction; the contents of the email						
			are hearsay to which no exception applies including because counsel has not laid a business record; counsel is						
			merely reading portions of the email into the record; calls for speculation as to intent of the email author; counsel:	5					
			argument that there is "no ambiguity" is improper statement and not a question indeed, counsel marked						
			only his own question and not the witness answer						
118			19 118:15-18: 402, 403, ATT, Arg, S. Post injunction activity is irrelevant after Court's MSJ ruling; question is intended to suggest contrary to MSJ - that MOVA was used for BATB post injunction; question calls for third party to speculate about communications between Disney and DD3.						
119		119	11 402, 403, ATT, Arg, S. Post injunction activity is irrelevant after Court's MSJ ruling; question is intended to suggest - contrary to MSJ that MOVA was used for BATB post injunction; question calls for third party to speculate about communications between Disney and DD3.	-					
119	13	119	15						

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	Darren Hendler - June 12, 2020											
	Plaintiffs' [Designation	s	Defendant's Objections	Rearden's Response	Ruling	Defen	dant's Cou	nter-Design	ations	Plaintiffs'	Ruling
											Objections	
Page	Line Start	Page End	Line End				Page	Line Start	Page End	Line End		
Start							Start					
5	4	5	6		Disney's objections are too numerous		18	15	19	8	Disney's	
					and so lacking in merit that Rearden						counterdesignati	
					will not respond individually. Often,						ons are not	
					testimony Disney claims was not						sequential with	
					previously designated was, in fact,						and do not	
					designated previously. Many						relate to	
					objections to the form of the question						Rearden's	
					that should have been asserted in the						designations,	
					deposition and were not, so they are						and thus will	
					waived. Many presume or assert that						result in juror	
					the Court has excluded evidence						confusion. They	
					where in fact there is no such order.						should be	
					Many assert that objections or						stricken on that	
					culloquy has been designated when in						basis. Disney	
					fact there is none in the designation.						may offer them	
					Many are not evidentiary objections						in its case in	
					but rather Disney arguing its theory of						chief. Rearden	
					the case or arguing with the witness						incorporates this	
					over testimony that it does not like.						objection into	
					Many are relevance objections that						each and every	
					the Court has stated would likely be						Disney	
					overruled. Rearden requests that the						counterdesignati	
					Court overrule all of Disney's						on.	
					objections as excessive. Rearden							
					incorporates this response into each							
					and every Disney objection.							
					, , ,							
6	11	6	21				29	18	29	19		
10			25				29		30			
11							41		41	13		
12							42	8		10		
12							42			17		1
14							42		43	12		1
18							43	1	43	18		1
18							44		44	7		
19							44			14		
19		1	1				64			19		
			10	<u> </u>		<u>. </u>	' '	·		- 13	!	

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23	4	23		FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1). FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP	65	24	66	7	
				26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).					
28	11	28	15						
29	6								
29	14	29	17						
31	10	31	25						
32	8	32	11						
32	24								
33	7	33							
33	23	34	12						
36	1	36							
36	10	36	18						

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36	20	37		37:5-17: FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).						
37	23	38								
38	25	39		1						
40	24	40								
41	2	41	2							
49	22									
49	22									
49	11	49								
52	25	53	11	,						
					ren Hendler - February 16, 2023		l			
133	6					145		146	1	
133	18		22			146		146	14	
134	8	134	19			151	20		18	
142	10	142		FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		169	21	170	8	

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144	24	145		FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		228	1	228	4		
145	22	145	24			229	15	229	15		
149	2	149	9			229	17	231	6		
150	12	150	16			236			7		
151	10	151	13	V, 402, 403 - The question does not define what a "similar" declaration is, and LaSalle's declaration is not similar and not in evidence.		310			20		
151	18	151	18			310	22	310	22		
155	5		9			310			9		
160	9	160				339			13		
160	13	160	13			339	18	339	18		
160	22	161		160:22-24: 402/403: Evidence of the injunction is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any postinjunction conduct.		340	21	341	1		
163	1	163	22			344	12	346	7		
164	1	164	22			354	15	354	21		
165	1	165	11			356	5		11		
168	7	169	1	I I		356	18	356	20		
171	25	172	12			357	7	357	11	-	
185	12	185	22			360	5	360	19		
186	8	186	19			360	24	361	6		
186	24	187	11			361	9		25		
188	2	188	4	I I		371	2	371	20		
188	7	188	7		-	382		382	23]
188	9		12			383		383	6		
191	7	191	13			385			17		
192	2		4			407	2		15		
192	6		8			407			21		
192	10	192	13			407	23	407	23		

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192	15	192	17			413	4	414	23	
193	9		11			419	14			 \vdash
193	15		20			420	11			\vdash
193	22		22			421	6		8	
194	14		18			423	12		19	
194	21	194	21			423	25			
197	3		5			502	12		4	
197	8		8			506	3		19	
197	10		14							
197	16		19							
197	22		1							
200	1		4							
200	18									
213	14	213		402/403: Evidence of the SHST trial						
				should be excluded based on the						
				court's ruling on Defendant's motion in						
				limine No. 1. That order specifies the						
				court will tell the jury exactly what will						
				be said about the resolution of the						
				SHST litigation.						
				FRCP 26/37, O – The Parties stipulated,						
				and the Court ordered, the exchange						
				of "narrowed affirmative designations"						
				in light of the Court's pretrial rulings.						
				Dkt. 568. This testimony was						
				designated by Rearden for the first						
				time on November 8; it was therefore						
				not timely disclosed under FRCP						
				26(a)(3) and the Case Management						
				Order and should be excluded under						
				FRCP 37(c)(1).						
				(-)(-)						
214	4	214	11	214:7-10: 402/403: Evidence of the						
				SHST trial should be excluded based on						
				the court's ruling on Defendant's						
				motion in limine No. 1. That order						1
				specifies the court will tell the jury						
				exactly what will be said about the						
				resolution of the SHST litigation.						
	<u></u>				l.		1	1		

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				FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).				
214	14	214	17	402/403 - The asset-return and special- master proceedings postdate the filing of this lawsuit, have nothing to do with Defendant's alleged liability, and have no relevance to any issue in this case.				
				FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).				
215	4	215	4	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).				
227	19	227	25					

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232	24	233	2					
233	13	234	9					
234	13	234	15					
234	18	234	20					
236	2	236	13					
237	8	237	23					
240	2	240	5					
242	9	242	19					
306	24	307		306:24-307:2: H: This document is				
				being offered for the truth of the				
				matter asserted, and no hearsay				
				exception applies. The statements are				
				not admissions of a party opponent				
				and no foundation has been laid to				
				show the document is a business				
				record.				
				306:24-307:2: 402/403: Evidence of				
				post-injunction conduct is irrelevant in				
				light of the Court's summary judgment				
				ruling that Defendant is not liable for				
				any post-injunction conduct.				
307	7	307	23	307:7-13: 402/403: Evidence of post-				
				injunction conduct is irrelevant in light				
				of the Court's summary judgment				
				ruling that Defendant is not liable for				
				any post-injunction conduct.				
				H: This document is being offered for				
				the truth of the matter asserted, and				
				no hearsay exception applies. The				
				statements are not admissions of a				
				party opponent and no foundation has				
				been laid to show the document is a				
				business record.				

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	307:16-17: 402/403: Evidence of postinjunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.
	307:19-22: 402/403: Evidence of post- injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.
308 6 308	11 308:6-10: 402/403: Evidence of postinjunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.

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308 18 309	10 308:18-22: 402/403: Evidence of post- injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.
	308:24-25: 402/403: Evidence of post- injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.
	309:3-9: 402/403: Evidence of post- injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.

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309	21	310	2	309:21-310:1: 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.				
310	12	310	16	310:12-15: 402/403: Evidence of post- injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.				
311	19	312	12	311:19-312:1: 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.				

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st12:3: 402/403: Evidence of post- njunction conduct is irrelevant in light of the Court's summary judgment uling that Defendant is not liable for any post-injunction conduct.
st2:5-6: 402/403: Evidence of post- njunction conduct is irrelevant in light of the Court's summary judgment uling that Defendant is not liable for any post-injunction conduct.
sizes-11: 402/403: Evidence of post- njunction conduct is irrelevant in light of the Court's summary judgment uling that Defendant is not liable for any post-injunction conduct.
RCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Okt. 568. This testimony was designated by Rearden for the first ime on November 8; it was therefore not timely disclosed under FRCP (26(a)(3)) and the Case Management Order and should be excluded under ERCP 37(c)(1).

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314 21	314:21-23: 402/403: Evidence of post- injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.	
	314:25-315:2: 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.	
316 25	316:25-317:5: 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.	

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317:8-9: 402/403: Evidence of post-	
injunction conduct is irrelevant in light	
of the Court's summary judgment	
ruling that Defendant is not liable for	
any post-injunction conduct.	
H: This document is being offered for	
the truth of the matter asserted, and	
no hearsay exception applies. The	
statements are not admissions of a	
party opponent and no foundation has	
been laid to show the document is a	
business record.	
317:13-15: 402/403: Evidence of post-	
injunction conduct is irrelevant in light	
of the Court's summary judgment	
ruling that Defendant is not liable for	
any post-injunction conduct.	
H: This document is being offered for	
the truth of the matter asserted, and	
no hearsay exception applies. The	
statements are not admissions of a	
party opponent and no foundation has	
been laid to show the document is a	
business record.	
317:17-19: 402/403: Evidence of post-	
injunction conduct is irrelevant in light	
of the Court's summary judgment	
ruling that Defendant is not liable for	
any post-injunction conduct.	
317 22 317 22	
317 24 318 7	
318 10 318 10	
318 12 318 14	

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320	4	320	9	9 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a	
				business record.	
320	11	320	11		
320	13	320	23	312:13: 402/403: Evidence of post- injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.	
				320:17-19: 402/403: Evidence of post- injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.	

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				320:21-23: 402/403: Evidence of post-	
				injunction conduct is irrelevant in light	
				of the Court's summary judgment	
				ruling that Defendant is not liable for	
				any post-injunction conduct.	
				H: This document is being offered for	
				the truth of the matter asserted, and	
				no hearsay exception applies. The	
				statements are not admissions of a	
				party opponent and no foundation has	
				been laid to show the document is a	
				business record.	
320	25	321	1		
326	2	326	3	3	
326	8	326	25	5	
327	15	327	22	2 327:15-18: 402/403: Evidence of post-	
				injunction conduct is irrelevant in light	
				of the Court's summary judgment	
				ruling that Defendant is not liable for	
				any post-injunction conduct.	
				H: This document is being offered for	
				the truth of the matter asserted, and	
				no hearsay exception applies. The	
				statements are not admissions of a	
				party opponent and no foundation has	
				been laid to show the document is a	
				business record.	
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328	6	328	8	8 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct.	
				H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a	
				business record.	
328	10	328	13		
329	23	330	5	5 ARG - The preamble to the question is argumentative and counsel narrating his own opinions about the evidence. 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct.	
				H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.	
330	7	330	7	7	

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argumentative. 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. H: This document is being offered for the truth of the matter asserted, and	
conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post- injunction conduct. H: This document is being offered for the truth of the matter asserted, and	
conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post- injunction conduct. H: This document is being offered for the truth of the matter asserted, and	
Court's summary judgment ruling that Defendant is not liable for any post- injunction conduct. H: This document is being offered for the truth of the matter asserted, and	
Defendant is not liable for any post-injunction conduct. H: This document is being offered for the truth of the matter asserted, and	
injunction conduct. H: This document is being offered for the truth of the matter asserted, and	
H: This document is being offered for the truth of the matter asserted, and	
the truth of the matter asserted, and	
the truth of the matter asserted, and	
no hearsay exception applies. The	
statements are not admissions of a	
party opponent and no foundation has	
been laid to show the document is a	
business record.	
330:14-16: ARG - The question is	
argumentative argumentative	
402/403: Evidence of post-injunction	
conduct is irrelevant in light of the	
Court's summary judgment ruling that	
Defendant is not liable for any post-	
injunction conduct.	
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H: This document is being offered for	
the truth of the matter asserted, and	
no hearsay exception applies. The statements are not admissions of a	
party opponent and no foundation has been laid to show the document is a	
business record.	
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330	22	331		330:22-24: 402/403: Evidence of post-					
330	22	331							
				injunction conduct is irrelevant in light					
				of the Court's summary judgment					
				ruling that Defendant is not liable for					
				any post-injunction conduct.					
				H: This document is being offered for					
				the truth of the matter asserted, and					
				no hearsay exception applies. The					
				statements are not admissions of a					
				party opponent and no foundation has					
				been laid to show the document is a					
				business record.					
				331:1-5: 402/403: Evidence of post-					
				injunction conduct is irrelevant in light					
				of the Court's summary judgment					
				ruling that Defendant is not liable for					
				any post-injunction conduct.					
				H: This document is being offered for					
				the truth of the matter asserted, and					
				no hearsay exception applies. The					
				statements are not admissions of a					
				party opponent and no foundation has					
				been laid to show the document is a					
				business record.					
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331	9	331	9						
331	15	331	18	331:15-17: 402/403: Evidence of post-					
				injunction conduct is irrelevant in light					
				of the Court's summary judgment					
				ruling that Defendant is not liable for					
				any post-injunction conduct.					
				H: This document is being offered for					
				the truth of the matter asserted, and					
				no hearsay exception applies. The					
				statements are not admissions of a					
				party opponent and no foundation has					
				been laid to show the document is a					
				business record.					
				business record.					
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331	24	331	25					
332	5	333	1	402/403: Evidence of post-injunction				
				conduct is irrelevant in light of the				
				Court's summary judgment ruling that				
				Defendant is not liable for any post-				
				injunction conduct.				
				H: This document is being offered for				
				the truth of the matter asserted, and				
				no hearsay exception applies. The				
				statements are not admissions of a				
				party opponent and no foundation has				
				been laid to show the document is a				
				business record.				
333	5	333	9	335:5-8: 402/403: Evidence of post-				
				injunction conduct is irrelevant in light				
				of the Court's summary judgment				
				ruling that Defendant is not liable for				
				any post-injunction conduct.				
				H: This document is being offered for				
				the truth of the matter asserted, and				
				no hearsay exception applies. The				
				statements are not admissions of a				
				party opponent and no foundation has				
				been laid to show the document is a				
				business record.				
333	14	333	16	402/403: Evidence of post-injunction				
				conduct is irrelevant in light of the				
				Court's summary judgment ruling that				
				Defendant is not liable for any post-				
				injunction conduct.				
				H: This document is being offered for				
				the truth of the matter asserted, and				
				no hearsay exception applies. The				
				statements are not admissions of a				
				party opponent and no foundation has				
				been laid to show the document is a				
				business record.				

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334	3	334		402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a				
				party opponent and no foundation has				
				been laid to show the document is a business record.				
334	14	334	18	402/403: Evidence of post-injunction				
				conduct is irrelevant in light of the				
				Court's summary judgment ruling that				
				Defendant is not liable for any post-				
				injunction conduct.				
				H: This document is being offered for				
				the truth of the matter asserted, and				
				no hearsay exception applies. The				
				statements are not admissions of a				
				party opponent and no foundation has				
				been laid to show the document is a				
334	20	334	20	business record.				
334	22	335		402/403: Evidence of post-injunction				
				conduct is irrelevant in light of the				
				Court's summary judgment ruling that				
				Defendant is not liable for any post-				
				injunction conduct.				
				H: This document is being offered for				
				the truth of the matter asserted, and				
				no hearsay exception applies. The				
				statements are not admissions of a				
				party opponent and no foundation has				
				been laid to show the document is a				
338	9	338	16	business record.				
338	22	339	5					
355	13		16	I I				

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Section					,				
A	380	25	381		and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under				
438 6 439 1 9 1 <td>381</td> <td>18</td> <td>381</td> <td></td> <td>and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under</td> <td></td> <td></td> <td></td> <td></td>	381	18	381		and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under				
438 6 439 1 9 1 <td>437</td> <td>17</td> <td>437</td> <td>25</td> <td></td> <td></td> <td></td> <td></td> <td></td>	437	17	437	25					
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491	8	491		491:19: FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).				
492	6	492	8					
492	12	492						
493	2	493						
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497	18							
498	25							
499	24	501	9					
501	12	501	21					

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	William Hendley - March 21, 2023											
	Plaintiffs' D	esignation	s	Defendant's Objections	Rearden's Response	Ruling	Defen	dant's Cour	nter-Design	ations	Plaintiffs' Objections	Ruling
Page Start	Line Start	Page End	Line End				Page Start	Line Start	Page End	Line End		
8	9	8		8:12-13: 402 - The witness's home address is not relevant; there is no legitimate reason to disclose it publicly.	Disney's objections are too numerous and so lacking in merit that Rearden will not respond individually. Often, testimony Disney claims was not previously designated was, in fact, designated previously. Many objections to the form of the question that should have been asserted in the deposition and were not, so they are waived. Many presume or assert that the Court has excluded evidence where in fact there is no such order. Many assert that objections or culloquy has been designated when in fact there is none in the designation. Many are not evidentiary objections but rather Disney arguing its theory of the case or arguing with the witness over testimony that it does not like. Many are relevance objections that the Court has stated would likely be overruled. Rearden requests that the Court overrule all of Disney's objections as excessive. Rearden incorporates this response into each and every Disney objection.		33	14	33	20	Disney's counterdesignati ons are not sequential with and do not relate to Rearden's designations, and thus will result in juror confusion. They should be stricken on that basis. Disney may offer them in its case in chief. Rearden incorporates this objection into each and every Disney counterdesignati on.	
12	25	13	2				38	3	38	4		

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14	4	15		14:9-15:5: FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		38	7	38	9	
				15:9-13: FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).						
18	8	18	10			39		39		
18	15	18	25			41	23	41	25	
19	2	19	9			43	24	44	2	
19	12	19				54		54	19	
19	20	19				54	21	54	21	
21	11	21	16							
21	20	21	23							
22	18	22	24							
23	15	24	4							
28		28								
28	22	28	23							

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31	3	31		31:3-5: FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).				
32	12	32						
32	23	32	24					
35	6	35	20					
37	10							
40	13	41	1					
41	6	41	22					
42	1	42	19					
42	22		22					
43	2	43	23					
44	3	46						
48	15	49						
50	14	50						
54	7	54						
54	11	54						
76	7	76						
76	14	76						
76	19	76						
76	25	77	3					
77	5	77		77:10: ATT, 402, 403 - Attorney				
				objections are not relevant and may				
				cause the jury to draw improper and				
				prejudicial inferences. All objections				
				and colloquy should be omitted.				
77	16	77						
77	21	77						
78	12	78						
78	17	78						
78	21	78						
78	25	79						
79	5	79						
79	10	79	13					

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80	8	80	11							
80	13	80	16							
80	18	80	21							
80	23	81	1							
81	3	81	6							
81	8	81	11							
81	13	81	16							
81	18	81	21							
81	23	82	1							
82	5	82	7							
82	9	82	12							
82	14	82	17							
82	19	82	22							
82	24	83	2							
83	4	83	7							
83	9		12							
83	14	83	17							
83	19	83	22							
83	24	84	2							
84	4	84	7							
84	9	84	12							
84	14	84	17							1
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					David Hoberman - June 20,	2019						
	Plaintiffs' D	esignation	s	Defendant's Objections	Rearden's Response	Ruling	Defen	dant's Cou	nter-Design	ations	Plaintiffs'	Ruling
											Objections	
Page	Line Start	Page End	Line End				Page	Line Start	Page End	Line End		
Start							Start					
5	11	5	14				58	5	58	8	Disney's	
											counterdesignati	
											ons are not	
											sequential with	
											and do not	
											relate to	
											Rearden's	
											designations,	
											and thus will	
											result in juror	
											confusion. They	
											should be	
											stricken on that	
											basis. Disney	
											may offer them	
											in its case in	
											chief. Rearden	
											incorporates this	
											objection into	
											each and every	
											Disney	
											counterdesignati	
											on.	

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5	22	6	7	6:2-7: FRCP 26/37, O – The Parties	Disney's objections are too numerous				
			•	stipulated, and the Court ordered, the	and so lacking in merit that Rearden				
				exchange of "narrowed affirmative	will not respond individually. Often,				
				designations" in light of the Court's	testimony Disney claims was not				
				pretrial rulings. Dkt. 568. This	previously designated was, in fact,				
					T -				
				testimony was designated by Rearden	designated previously. Many				
				for the first time on November 8; it was					
				therefore not timely disclosed under	that should have been asserted in the				
				FRCP 26(a)(3) and the Case	deposition and were not, so they are				
				Management Order and should be	waived. Many presume or assert that				
				excluded under FRCP 37(c)(1).	the Court has excluded evidence where				
					in fact there is no such order. Many				
					assert that objections or culloquy has				
					been designated when in fact there is				
					none in the designation. Many are not				
					evidentiary objections but rather				
					Disney arguing its theory of the case or				
					arguing with the witness over				
					testimony that it does not like. Many				
					are relevance objections that the Court				
					has stated would likely be overruled.				
					Rearden requests that the Court				
					overrule all of Disney's objections as				
					excessive. Rearden incorporates this				
					response into each and every Disney				
					objection.				
46	18		21						
46	24		6						
47	9		15						
47	18		22						
47	25	48	1	FRCP 26/37, O – The Parties stipulated,					
				and the Court ordered, the exchange of					
				"narrowed affirmative designations" in					
				light of the Court's pretrial rulings.					
				Dkt. 568. This testimony was					
				designated by Rearden for the first					
				time on November 8; it was therefore					
				not timely disclosed under FRCP					
				26(a)(3) and the Case Management					
				Order and should be excluded under					
				FRCP 37(c)(1).					
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48	/	48	8	FRCP 26/37, O – The Parties stipulated,							
				and the Court ordered, the exchange of							
				"narrowed affirmative designations" in							
				light of the Court's pretrial rulings.							
				Dkt. 568. This testimony was							
				designated by Rearden for the first							
				time on November 8; it was therefore							
				not timely disclosed under FRCP							
				26(a)(3) and the Case Management							
				Order and should be excluded under							
				FRCP 37(c)(1).							
48	24	48	25	FRCP 26/37, O – The Parties stipulated,							
				and the Court ordered, the exchange of							
				"narrowed affirmative designations" in							
				light of the Court's pretrial rulings.							
				Dkt. 568. This testimony was							
				designated by Rearden for the first							
				time on November 8; it was therefore							
				not timely disclosed under FRCP							
				26(a)(3) and the Case Management							
				Order and should be excluded under							
				FRCP 37(c)(1).							
49	5	49	8	49:5-6: FRCP 26/37, O – The Parties							
				stipulated, and the Court ordered, the							
				exchange of "narrowed affirmative							
				designations" in light of the Court's							
				pretrial rulings. Dkt. 568. This							
				testimony was designated by Rearden							
				for the first time on November 8; it was							
				therefore not timely disclosed under							
				FRCP 26(a)(3) and the Case							
				Management Order and should be							
				excluded under FRCP 37(c)(1).							
49	12	49	13								
50	11	50	13								
50	18	50	18								
30		30	10		David Hoberman - March 4, 2020						<u> </u>
8	11	9	1		David Hoseiman - March 4, 2020		9	2	9	4	
9	16	9	23				9	6	9		
9	25	11	8				11	9	11		
11	20	12	4				15	9	15		
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13	8	13		F, H. No foundation for how Mr. Hoberman is aware of Mr. Condon's views. Further, any foundation would necessarily be based on Mr. Condon's out of court hearsay statements to Mr. Hoberman, which are being offered for		15	12	15	12	
- 11	2	4.5		the truth of his views.		40	4.0	40	45	
14	3	15 15	8			42	13	42 48	15	
15	14		15			48	18 7		25 10	
15	19	15	25			49		49	13	
36	17	37 37	7			49	11	49		
37	10		25			49	23	49	23	
38	21	39		H. Statement is being offered for the truth of Ms. Kennedy's out-of-court statement that "there does seem to be an appetite" for behind-the-scenes information.		51	21	51	24	
39	20	39		Lacks foundation, Hearsay. Mr. Condon's testimony at 39:9-19 makes clear that he does not know the basis for Ms. Kennedy's out-of-court hearsay statement that there is an "appetite for this"		52	2	52	3	
42	2	42		FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		56	23	56	25	
48	3	48	11			57	2	57	2	
50	6	50	15			71	10	71	14	
51	2	51	12			71	15	71	19	
51	17	51	20			71	23	71	25	
52	6	52	8			73	17	74	8	
52	24	52	25			75	1	75	2	
53	2	53	4			75	6	75	6	
53	5	53	19			77	22	78	13	
53	21	53	21			78	14	78	17	

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55	6	55	14			78	19	79	5	
55	17		17			70	13	73		
55	20			FRCP 26/37, O – The Parties stipulated,						
	20	30	22	and the Court ordered, the exchange of						
				"narrowed affirmative designations" in						
				light of the Court's pretrial rulings.						
				Dkt. 568. This testimony was						
				designated by Rearden for the first						
				time on November 8; it was therefore						
				not timely disclosed under FRCP						
				26(a)(3) and the Case Management						
				Order and should be excluded under						
65	7	65	4.4	FRCP 37(c)(1).						
65	20		14							
			23							
66 67	25 13		1 15							
67	18		20							
68	3	70								
68	3	70	/	68:22-25: ATT, 402, 403: Attorney						
				colloquy is not relevant and should be						
70	11	71		omitted. DOC; Rule 27. Document not disclosed						
70	11	/1	9							
73	7	73	16	on Plaintiffs' exhibit list. DOC, F, H. Document is not on						
/3	,	/3	10							
				Plaintiffs' exhibit list. No foundation authenticating this document as a						
				_						
				business record. No foundation						
				establishing its purpose, or if it was						
74	14	74	25	ever used.						
75	21		25							
76	6	76		FRCP 26/37, O – The Parties stipulated,						
76	Ü	76	10	and the Court ordered, the exchange of						
				"narrowed affirmative designations" in						
				light of the Court's pretrial rulings.						
				Dkt. 568. This testimony was						
				designated by Rearden for the first time on November 8; it was therefore						
				not timely disclosed under FRCP						
				26(a)(3) and the Case Management Order and should be excluded under						
76	19	76	25	FRCP 37(c)(1).						
76	19	76	25	1						

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77	2	77 16					

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					Greg LaSalle - June 16, 2020							
	Plaintiffs' D	esignation	s	Defendant's Objections	Rearden's Response	Ruling	Defen	dant's Cour	nter-Design		Plaintiffs' Objections	Ruling
Page Start	Line Start	Page End	Line End				Page Start	Line Start	Page End			
8	22	9	10		Disney's objections are too numerous		129	17	129	24	Disney's	
					and so lacking in merit that Rearden						counterdesignati	
					will not respond individually. Often,						ons are not	
					testimony Disney claims was not						sequential with	
					previously designated was, in fact,						and do not	
					designated previously. Many						relate to	
					objections to the form of the question						Rearden's	
					that should have been asserted in the						designations,	
					deposition and were not, so they are						and thus will	
					waived. Many presume or assert that						result in juror	
					the Court has excluded evidence where						confusion. They	
					in fact there is no such order. Many						should be	
					assert that objections or culloquy has						stricken on that	
					been designated when in fact there is						basis. Disney	
					none in the designation. Many are not						may offer them	
					evidentiary objections but rather						in its case in	
					Disney arguing its theory of the case or						chief. Rearden	
					arguing with the witness over						incorporates this	
					testimony that it does not like. Many						objection into	
					are relevance objections that the Court						each and every	
					has stated would likely be overruled.						Disney	
					Rearden requests that the Court						counterdesignati	
					overrule all of Disney's objections as						on.	
					excessive. Rearden incorporates this							
					response into each and every Disney							
					objection.							
10		40	10				122		124	40		
10		_					133	7		10		
15		15					136	5		9		
15		15					137	21	137	22		
15	19	16	4				137	24	138	6		<u> </u>

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16	20	16	24	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		167	5	167	17		
17	10	17	12		_	167	20		3	-	
17	18	18	10			168			24		
40	12	40	17			169		169	2		
46	11	46		FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		170			3		
46	17	46	19	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		171	6	171	7		

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46 21	47	PRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		171	9	171	10	
47 4	47	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		171	16	171	18	
47 20	48	I FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).						

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48	3	48		FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management				
51	3	51	8	Order and should be excluded under FRCP 37(c)(1). 402, 403. Evidence of the injunction is irrelevant in light of the Court's summary judgment ruling that Disney is not liable for any post-injunction				
				conduct FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).				
51	21	. 52		MIL 1: Court has excluded the PI Order. 402/403: Evidence of the injunction is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any postinjunction conduct				

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			FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).				
52	8 !	52 21	MIL 1: Court has excluded the PI Order 402/403: Evidence of the injunction is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any postinjunction conduct.				
			FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).				
53	6 5	54 9	53:7-54:9: MIL 1: Court has excluded the PI Order 402/403: Evidence of the injunction is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any postinjunction conduct.				

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				FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	
54	19	55	4	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management	
				Order and should be excluded under FRCP 37(c)(1).	
57	2	57	4	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct.	

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				FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	
57	6	57	7	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	
59	4	59	20	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct.	

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				FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	
91	9	91	12	DOC: This document is not a trial exhibit. 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	
91	19	91	24	DOC: This document is not a trial exhibit. 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct	

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98 6 99 16	98:6-99:7: DOC: This document is not a trial exhibit. 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is A276not liable for any post-injunction conduct
	98:6-7: FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).
	99:8-16: 402/403: Evidence of post- injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct
	99:8-11: FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).

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101 22	102	DOC: This document is not a trial exhibit. 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post- injunction conduct
		FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).
104 7	104	11 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.
122 2	122	5 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.

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		1	1	T .	ı	1	1	1	1	I	1
				FRCP 26/37, O – The Parties stipulated,							
				and the Court ordered, the exchange of							
				"narrowed affirmative designations" in							
				light of the Court's pretrial rulings.							
				Dkt. 568. This testimony was							
				designated by Rearden for the first							
				time on November 8; it was therefore							
				not timely disclosed under FRCP							
				26(a)(3) and the Case Management							
				Order and should be excluded under							
				FRCP 37(c)(1).							
122	12	122	22	402/402 5 ideas of a set initiation							
122	12	122	22	402/403: Evidence of post-injunction							
				conduct is irrelevant in light of the							
				Court's summary judgment ruling that							
				Defendant is not liable for any post-							
				injunction conduct							
				H: This document is being offered for							
				the truth of the matter asserted, and							
				no hearsay exception applies. The							
				statements are not admissions of a							
				party opponent and no foundation has							
				been laid to show the document is a							
				business record.							
123	9	123	18	402/403: Evidence of post-injunction							
				conduct is irrelevant in light of the							
				Court's summary judgment ruling that							
				Defendant is not liable for any post-							
				injunction conduct.							
				FRCP 26/37, O – The Parties stipulated,					<u> </u>		
				and the Court ordered, the exchange of							
				"narrowed affirmative designations" in							
				light of the Court's pretrial rulings.							
				Dkt. 568. This testimony was							
				designated by Rearden for the first							
				time on November 8; it was therefore							
				not timely disclosed under FRCP							
				26(a)(3) and the Case Management							
				Order and should be excluded under							
				FRCP 37(c)(1).							

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127	7	127		402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct.				
129	7	129		402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.				
129	25	130	4	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct				
130	19	130	21	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.				

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131	2	131	21	131:2-15: 402/403: Evidence of post- injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.				
				131:16-21: 402/403: Evidence of post- injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct				
132	15	132	20	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.				
134	21	134	24	H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.				

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125	7	125	17	2 425.7 O. U. This decompant is being	
135	/	135	12	2 135:7-9: H: This document is being	
				offered for the truth of the matter	
				asserted, and no hearsay exception	
				applies. The statements are not	
				admissions of a party opponent and no	
				foundation has been laid to show the	
				document is a business record.	
135	19	135	22	2 H: This document is being offered for	
				the truth of the matter asserted, and	
				no hearsay exception applies. The	
				statements are not admissions of a	
				party opponent and no foundation has	
				been laid to show the document is a	
				business record.	
135	24	135	24	4 H: This document is being offered for	
				the truth of the matter asserted, and	
				no hearsay exception applies. The	
				statements are not admissions of a	
				party opponent and no foundation has	
				been laid to show the document is a	
				business record.	
137	7	137	8	8 FRCP 26/37, O – The Parties stipulated,	
				and the Court ordered, the exchange of	
				"narrowed affirmative designations" in	
				light of the Court's pretrial rulings.	
				Dkt. 568. This testimony was	
				designated by Rearden for the first	
				time on November 8; it was therefore	
				not timely disclosed under FRCP	
				26(a)(3) and the Case Management	
				Order and should be excluded under	
				FRCP 37(c)(1).	

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137	10	137	12	2 FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	
138	12	138	17	7 FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	
170	6	170	15	5	
170	18	170	23	3	
171	20	171		FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	

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172	15	172	15	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1). FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).							
					Greg LaSalle - February 14, 2023 30(b)(1)		ļ				
9	4	9	21			13	18	14	9		
9	24	9	24			21	2	21	14		
10	1	10	5			21	15	21	18		
10	7	10	11			21	20	21	20		

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	1	ı		1	1	-		ı		ı	
11	14	11	24	11:14-23: FRE 804 (b)(1): Prior trial		21	22	21	25		
				testimony may not be offered against							
				Defendant, because VGH/SHST are not							
				predecessors in interest to Defendant.							
				If this exhibit is introduced or Plaintiffs							
				otherwise make reference to the							
				portion of the SHST trial testimony in							
				which Mr. LaSalle mistakenly testified							
				he told Disney about the letter he							
				received from Mr. Perlman's attorneys,							
				Defendant reserves the right to offer							
				counter-designated testimony that Mr.							
				LaSalle's recollection was not accurate							
				and his discussions with Disney had							
				terminated before he received the							
				letter.							
12	4	12	7	FRE 804 (b)(1): Prior trial testimony		22	3	22	3		
				may not be offered against Defendant,							
				because VGH/SHST are not							
				predecessors in interest to Defendant.							
				If this exhibit is introduced or Plaintiffs							
				otherwise make reference to the							
				portion of the SHST trial testimony in							
				which Mr. LaSalle mistakenly testified							
				he told Disney about the letter he							
				received from Mr. Perlman's attorneys,							
				Defendant reserves the right to offer							
				counter-designated testimony that Mr.							
				LaSalle's recollection was not accurate							
				and his discussions with Disney had							
				terminated before he received the							
				letter.							
12	10	12	13			22	12	22	17		
12	17	12				90	18	91	6		
13	3	13	9	13:5-9: H: Hearsay to the extent		91	7	91	11	 	
				offered to prove the truth that Mr.							
				LaSalle does not own the MOVA assets,							
				that they belong to Rearden, and that							
				he should return them.							
										•	

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13	11	13	17		91	14	91	18			
33	20			FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in	91	19	91	24			
				light of the Court's pretrial rulings.							
				Dkt. 568. This testimony was							
				designated by Rearden for the first							
				time on November 8; it was therefore not timely disclosed under FRCP							
				26(a)(3) and the Case Management							
				Order and should be excluded under							
				FRCP 37(c)(1).							
33	23	33	24	FRCP 26/37, O – The Parties stipulated,	101	12	101	16			
				and the Court ordered, the exchange of							
				"narrowed affirmative designations" in light of the Court's pretrial rulings.							
				Dkt. 568. This testimony was							
				designated by Rearden for the first							
				time on November 8; it was therefore							
				not timely disclosed under FRCP 26(a)(3) and the Case Management							
				Order and should be excluded under							
				FRCP 37(c)(1).							
34	3	34	20		102	12	102	14			
35	9				106	12	106	15			
37	2				107	4	107	7			
37 42	19 20			FRCP 26/37, O – The Parties stipulated,	107 107	15 21	107 109	20 4			
"-	20			and the Court ordered, the exchange of	107		103	·			
				"narrowed affirmative designations" in							
				light of the Court's pretrial rulings.							
				Dkt. 568. This testimony was designated by Rearden for the first							
				time on November 8; it was therefore							
				not timely disclosed under FRCP							
				26(a)(3) and the Case Management							
				Order and should be excluded under FRCP 37(c)(1).							
				NCF 3/(C)(1).							
		l	l						1	l	

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109	7	109	g	402/403: Preliminary injunction order has been excluded by the Court's ruling on MIL 1.	112	15	112	16		
				FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).						
109	11	109	20	109:19-20: MIL 1, 403: This implicitly violates the court's MIL 1 ruling excluding evidence of the court's credibility determinations. The follow-on questioning at pages 170:18-171:3 confirms that this question is intended to suggest to the jury that the court heard Mr. LaSalle's testimony and found that it was not credible.	113	5	113	8		
				FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).						

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110	2	110	9	MIL 1, 403: This implicitly violates the court's MIL 1 ruling excluding evidence of the court's credibility determinations. The follow-on questioning at pages 170:18-171:3 confirms that this question is intended to suggest to the jury that the court heard Mr. LaSalle's testimony and found that it was not credible.	114	2	114	13		
				FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).						
110	16	111	7	violates the court's MIL 1 ruling excluding evidence of the court's credibility determinations. The followon questioning at pages 170:18-171:3 confirms that this question is intended to suggest to the jury that the court heard Mr. LaSalle's testimony and found that it was not credible.	114	15	114	19		

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FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of 'narrowed affirmative designations" in ight of the Court's pretrial rulings. Okt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP (26(a)(3)) and the Case Management (26(a)(3)) and the Case Management (27(a)(3)) and the Case Management (27(a)(3)(3)) and the Case Management (27(a)(3)(3)(3)(3)(3)(3)(3)(3)(3)(3)(3)(3)(3)
FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in ight of the Court's pretrial rulings. Okt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP (26(a)(3)) and the Case Management Order and should be excluded under FRCP 37(c)(1).
FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of 'narrowed affirmative designations" in ight of the Court's pretrial rulings. Okt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP (26(a)(3)) and the Case Management (26(a)(3)) and the Case Management (27(a)(3)) and the Case Management (27(a)(3)(3)) and the Case Management (27(a)(3)(3)(3)(3)(3)(3)(3)(3)(3)(3)(3)(3)(3)

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111	12	111	14	MIL 1, 403: This implicitly violates the court's MIL 1 ruling excluding evidence of the court's credibility determinations. The follow-on questioning at pages 170:18-171:3 confirms that this question is intended to suggest to the jury that the court heard Mr. LaSalle's testimony and found that it was not credible.	114	21	114	21		
				FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).						
112	3	112	14	MIL 1: designation of this testimony and exhibit violates the Court's ruling on MIL 1 precluding the introduction of the Statement of Decision.	114	23	115	10		
				FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).						
164	10		16		 115	11	118			
164	23	165	2	l l	118	8	118			
165	10	165	22		118	14	118	18		
165 166	25 8	166 166			118 119	21 6	118	21 14		
166	8	166	8		119	6	120	14	<u> </u>	<u> </u>

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166	12	166	12					
166	17							
170	18			MIL 1, 403: This violates the court's MIL 1 ruling excluding evidence of the court's credibility determinations. It is a not-so-subtle hint that the Court found Mr. LaSalle not to be credible. The follow-on questioning confirms this is precisely the inference the questioning is intended to cause the jury to make.				
				FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).				
173	2	173	5	MIL 1, 402, 403: This violates the court's ruling that only the fact of the court's statement of decision will come into evidence. These questions are even more confusing and prejudicial because they read from the court's tentative statements after the conclusion of the trial and not its final decision. Defendant continues to object to any evidence of the SHST decision being admitted.				

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				FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).				
173	9	173	20	MIL 1, 402, 403: This violates the court's ruling that only the fact of the court's statement of decision will come into evidence. These questions are even more confusing and prejudicial because they read from the court's tentative statements after the conclusion of the trial and not its final decision. Defendant continues to object to any evidence of the SHST decision being admitted.				
				FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).				

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173	25	174	_	3 A4U 4 403 403 This siglet at the					
1/3	25	1/4	5	MIL 1, 402, 403: This violates the					
				court's ruling that only the fact of the					
				court's statement of decision will come					
				into evidence. These questions are					
				even more confusing and prejudicial					
				because they read from the court's					
				preliminary musings after the					
				conclusion of the trial and not its final					
				decision.					
				Defendant continues to object to any					
				evidence of the SHST decision being					
				admitted.					
				FRCP 26/37, O – The Parties stipulated,					
				and the Court ordered, the exchange of					
				"narrowed affirmative designations" in					
				light of the Court's pretrial rulings.					
				Dkt. 568. This testimony was					
				designated by Rearden for the first					
				time on November 8; it was therefore					
				not timely disclosed under FRCP					
				26(a)(3) and the Case Management					
				Order and should be excluded under					
				FRCP 37(c)(1).					
174	8	175	23	MIL 1, 402, 403: This violates the					
				court's ruling that only the fact of the					
				court's statement of decision will come					
				into evidence and that the jury will not					
				be informed of any credibility					
				determinations made by the court.					
				These questions are even more					
				confusing and prejudicial than the					
				substance of the statement of decision					
				because they read from the court's					
				tentative statements after the					
				conclusion of the trial and not its final					
				decision. Defendant continues to					
				object to any evidence of the SHST					
				decision being admitted.					
	l.				L	1	1	1	

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FRCP 26/37, O – The Parties stipulated,	
and the Court ordered, the exchange of	
"narrowed affirmative designations" in	
light of the Court's pretrial rulings.	
Dkt. 568. This testimony was	
designated by Rearden for the first	
time on November 8; it was therefore	
not timely disclosed under FRCP	
26(a)(3) and the Case Management	
Order and should be excluded under	
FRCP 37(c)(1).	
176 4 176 22 MIL 1, 402, 403: This violates the	
court's ruling that only the fact of the	
court's statement of decision will come	
into evidence and that the jury will not	
be informed of any credibility	
determinations made by the court.	
These questions are even more	
confusing and prejudicial than the	
substance of the statement of decision	
because they read from the court's	
tentative statements after the	
conclusion of the trial and not its final	
decision. Defendant continues to	
object to any evidence of the SHST	
decision being admitted.	
FRCP 26/37, O – The Parties stipulated,	
and the Court ordered, the exchange of	
"narrowed affirmative designations" in	
light of the Court's pretrial rulings.	
Dkt. 568. This testimony was	
designated by Rearden for the first	
time on November 8; it was therefore	
not timely disclosed under FRCP	
26(a)(3) and the Case Management	
Order and should be excluded under	
FRCP 37(c)(1).	

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177	5	178		MIL 1, 402, 403: This violates the court's ruling that only the fact of the court's statement of decision and the Ninth Circuit affirmance will come into evidence and that the jury will not be informed of any credibility determinations made by the court. Defendant continues to object to any evidence of the SHST decision and Ninth Circuit ruling being admitted. Nevertheless if the court is going to allow this evidence in, it should come in only through an instruction from the court. To be clear, even that limitation does not cure the prejudice to Defendant of admitting this evidence. FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under							
				FRCP 37(c)(1).							
					 Greg LaSalle - February 14, 2023 30(b)					<u> </u>	
9	2	9	9			63	12	63	14		
9	15	9	18			63	17	63	17		
10	7	10	9			63	21	63	23		
10	23	11	2			63	25	64	5		
11	18	11	22			64	8	64	8		
12	21	12	24			65	5	65	8		
13	5	13	5			72	23	73	3		
13	14	13	23			73	7	73	12		
14	3	14	23			73	14	73	20		
15	2	15	7			80		80	15		
17	7	17	14			80		80	19		
17	16	18	6			81	20	81	21		

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18	15	18	17	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	81	24	82	1		
18	23	18	23	106: the answer to the question is omitted.	83	14	83	14		
19	3	19	4	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	83	18	84	4		
19	8	19	13	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	86	9	86	12		

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19	16	19	17	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	86	19	86	25		
20	15	20	17	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	91	12	91	14		
20	19	20	22	PRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	91	20	91	22		

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20 2	4 20	24	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	92	2	92	6		
27 1	3 27	18	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	92	9	92	11		
46 1	8 47	10	46:18-47:2: 402/403: Evidence of postinjunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.	92	13	92	14		
47 1	.3 47	15		 92	17	92	17		

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49	14	49	23	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.			
50	16	50	20	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: The question paraphrases out-of-court statements in a document that are being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.			
51	15	51	19	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.			

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52	4	52	14	52:4-11: 402/403: Evidence of post- injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.				
				52:12-14: 402/403: Evidence of post- injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct				
52	18	53	7	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct				
53	9	53	9	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct				
53	24	54	2	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct				
54	4	54	9	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct				

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54	11	54	17	7 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct	
54	21	54	22	2 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct	
55	6	55	6	6 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct	
55	10	55	19	9 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct	
56	6	56	8	8 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct	
56	19	56	21	1 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct	

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58	50	4		_	1400/400 5 : 1				
Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. F: calls for speculation, lacks foundation - LaSalle testified he is speculating, and that his testimomy is based on the content of a hearsay document. 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. F: calls for speculation, lacks foundation - LaSalle testified he is speculating, and that his testimomy is based on the content of a hearsay.	58	4	58	/					
Defendant is not liable for any post- injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. F: calls for speculation, lacks foundation - LaSalle testified he is speculating, and that his testimony is based on the content of a hearsay document. 1 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post- injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a parry opponent and no foundation has been laid to show the document is a business record. F: calls for speculation, lacks foundation - LaSalle testified he is speculating, and that his testimony is based on the content of a hearsay					<u> </u>				
injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. F: calls for speculation, lacks foundation - LaSalle testified he is speculating, and that his testimony is based on the content of a hearsay document. 58 10 59 14 02/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. F: calls for speculation, lacks foundation. LaSalle testified he is speculating, and that his testimony is based on the content of a hearsay									
H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. F: calls for speculation, lacks foundation - LaSalle testified he is speculating, and that his testimony is based on the content of a hearsay document. 58 10 59 1 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. F: calls for speculation, lacks foundation - LaSalle testified he is speculating, and that his testimony is based on the content of a hearsay									
the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. F: calls for speculation, lacks foundation-1asalle testified he is speculating, and that his testimony is based on the content of a hearsay document. 58 10 59 1 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. F: calls for speculation, lacks foundation - LaSalle testified he is speculating, and that his testimony is based on the content of a hearsay					1 -				
no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. Fi calls for speculation, lacks foundation - LaSalle testified he is speculating, and that his testimony is based on the content of a hearsay document. 58 10 59 1 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. F: calls for speculation, lacks foundation - LaSalle testified he is speculating, and that his testimony is based on the content of a hearsay					H: This document is being offered for				
statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. F: calls for speculation, lacks foundation - LaSalle testified he is speculating, and that his testimony is based on the content of a hearsay document. 58					the truth of the matter asserted, and				
party opponent and no foundation has been laid to show the document is a business record. F: calls for speculation, lacks foundation - LaSalle testified he is speculating, and that his testimony is based on the content of a hearsay document. 58					no hearsay exception applies. The				
been laid to show the document is a business record. F: calls for speculation, lacks foundation - LaSalle testified he is speculating, and that his testimony is based on the content of a hearsay document. 58					statements are not admissions of a				
business record. F: calls for speculation, lacks foundation - LaSalle testified he is speculating, and that his testimony is based on the content of a hearsay document. 1 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post- injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. F: calls for speculation, lacks foundation - LaSalle testified he is speculating, and that his testimony is based on the content of a hearsay					party opponent and no foundation has				
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61	2	61	22	2 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.	
				61:2-5: FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	
62	9	62		de 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.	
62	22	63	2	2 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct	

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63	10	63		3 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct 2 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-				
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65	16	66	2	2 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.				
66	6	66	10	0 402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.				

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66	21	67	3	66:21-25: 402/403: Evidence of post- injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a				
				business record. 67:1-3: 402/403: Evidence of post- injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct				
67	5	67		402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct				
68	10	68	13	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct				
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68	15	68	1	9 402/403: Evidence of post-injunction					
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				conduct is irrelevant in light of the					
				Court's summary judgment ruling that					
				Defendant is not liable for any post-					
				injunction conduct					
				FRCP 26/37, O – The Parties stipulated,					
				and the Court ordered, the exchange of					
				"narrowed affirmative designations" in					
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				Order and should be excluded under					
				FRCP 37(c)(1).					
68	21	69	,	4 402/403: Evidence of post-injunction					
				conduct is irrelevant in light of the					
				Court's summary judgment ruling that					
				Defendant is not liable for any post-					
				injunction conduct					
				H: This document is being offered for					
				the truth of the matter asserted, and					
				no hearsay exception applies. The					
				statements are not admissions of a					
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				business record.					
				68:21-22: FRCP 26/37, O – The Parties					
				stipulated, and the Court ordered, the					
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				pretrial rulings. Dkt. 568. This					
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				excluded under FRCP 37(c)(1).		L			

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69	7	69	25	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.				
70	2	70	18	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.				
70	21	71	6	70:21-24: 402/403: Evidence of post- injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.				
71	19	71	. 19					

Case 4:17-cv-04006-JST Document 598-1 Filed 11/20/23 Page 108 of 199 Rearden LLC et al. v. Walt Disney Pictures et al.

4:17-cv-04006-JST-SK

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conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post- injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a									
Court's summary judgment ruling that Defendant is not liable for any post- injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a	77	15	77	19					
Defendant is not liable for any post- injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a					_				
injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a					Court's summary judgment ruling that				
H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a					Defendant is not liable for any post-				
the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a					injunction conduct				
no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a					H: This document is being offered for				
statements are not admissions of a party opponent and no foundation has been laid to show the document is a					the truth of the matter asserted, and				
party opponent and no foundation has been laid to show the document is a					no hearsay exception applies. The				
been laid to show the document is a					statements are not admissions of a				
					party opponent and no foundation has				
business record.					been laid to show the document is a				
					business record.				

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78	5	78	11	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.				
79	5	79	16	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.				
79	18	79	22	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct				
79	24	79		402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct				
82	3	82	4	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct				

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82	7	82	15	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct				
82	20	82	24	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.				
83	10	83	13	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct				
87	11	87	14	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct				
87	18	87	19	A02/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct H: This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record.				

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87	22	88	2	402/403: Evidence of post-injunction				
				conduct is irrelevant in light of the				
				Court's summary judgment ruling that				
				Defendant is not liable for any post-				
				injunction conduct				
				H: This document is being offered for				
				the truth of the matter asserted, and				
				no hearsay exception applies. The				
				statements are not admissions of a				
				party opponent and no foundation has				
				been laid to show the document is a				
				business record.				
88	6	88	7	402/403: Evidence of post-injunction				
				conduct is irrelevant in light of the				
				Court's summary judgment ruling that				
				Defendant is not liable for any post-				
				injunction conduct				
88	10	88	10	402/403: Evidence of post-injunction				
				conduct is irrelevant in light of the				
				Court's summary judgment ruling that				
				Defendant is not liable for any post-				
				injunction conduct				
89	14	89	16	Vague as to time and as to whether the				
				question is referring to TO 13 or the				
				general process.				
				402/403: Evidence of post-injunction				
				conduct is irrelevant in light of the				
				Court's summary judgment ruling that				
				Defendant is not liable for any post-				
				injunction conduct				
89	19	89	20	Vague as to time and as to whether the				
				question is referring to TO 13 or the				
				general process.				
				402/403: Evidence of post-injunction				
				conduct is irrelevant in light of the				
				Court's summary judgment ruling that				
				Defendant is not liable for any post-				
				injunction conduct				
91	1	91	6	402/403: Evidence of post-injunction				
				conduct is irrelevant in light of the				
				Court's summary judgment ruling that				
				Defendant is not liable for any post-				
				injunction conduct				

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91	10	91	11	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct					
				LaSalle, G	Greg - SHST Trial Vol. 1 (SHST ECF No.	383)			
37	2	37	10	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.					
192	21	193	5	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.					
193	16	193	22	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.					
195	4	195	8	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.					

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198	23	200	4	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
204	4	204	12	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
204	13	204	16	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
205	3	205	10	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
206	3	207	2	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				

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207	14	207	17	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.							
208	9	209	22	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.							
				LaSall	le, Greg - SHST Trial Vol. 2 (SHST ECF No.	. 384)					
236	21	237	23	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.			266	12	266	20	
237	24	238	6	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.			271	14	271	16	
238	11	239	3	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.			272	9	272	11	

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240	21	241	3	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.		287	5	287	7	
241	14	242	15	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.		314	6	314	17	
242	16	242	18	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.		315	6	315	25	
243	8	244	22	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.		316	10	316	16	
245	18	246	18	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.						

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247	24	248	14	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
248	21	248	24	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
248	25	249	17	7 804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
251	18	256	15	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
256	24	257	8	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				

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257	18	258	15	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
258	16	259	12	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
261	8	262	5	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
262	6	262	15	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
262	18	263	1	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				

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263	2	263	2	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
263	9	264	11	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
264	12	265	14	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
265	15	266	9	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
266	10	266	18	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				

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				266:14-18 - 402/403. As the court noted at 266:21-23 this question gets into esoteric areas of gift tax law and "further exploration of this topic in my judgment is not relevant." The question and answer will be confusing and misleading to a jury.				
266	25	267	10	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
267	17	268	5	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
268	18	271	13	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
272	12	273	2	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				

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273	3	274	7	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
274	24	275	17	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
275	18	276	19	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
276	20	276	21	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
277	3	279	16	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				

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280	18	281	24	279:5-8, 13-15: Court rulings are not binding on Defendant and are inappropriate for testimonial designations 804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
283	18	284	13	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
284	18	287	4	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
				284:18-285:10: 402/403 - questions and answers about patents and trademarks are irrelevant and confusing as there are no patent or trademark infringement claims at issue.				
287	15	288	13	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				

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288	14	289	6	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
289	7	290	8	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
291	20	292	5	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
292	6	293	2	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
293	10	294	5	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				

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294	7	295	7	7 804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
				Hearsay to the extent offered to prove the truth of the satement that Mr. LaSalle had "an obligation to return the Mova assets to Rearden" and the statements recited at 294:23-295:6				
295	13	296	2	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
296	12	296	23	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
				Hearsay to the extent offered to prove the truth of the satement that "under your PIIA agreement the Mova assets belonged to Rearden."				
298	2	299	10	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				

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300	17	301	4	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
301	5	301	20	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
				Hearsay to the extent offered to prove the truth of the satement that "all invoices up to and inclusing December 31st 2012 have been paid by Rearden."				
301	21	303	7	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
303	24	304	5	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				

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304	6	305	11	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
305	12	307	2	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
307	3	309	4	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
				307:16-308:3: 02/403 - patents assignments are irrelevant and confusing as there are no patent infringement claims at issue.				
309	11	310	2	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				

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310	3	311	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
311	18	312	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				

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					Gary Lauder – February 13,	2023						
	Plaintiffs' D	esignation	s	Defendant's Objections	Rearden's Response	Ruling	Defer	ndant's Cour	nter-Design	ations	Plaintiffs'	Ruling
											Objections	
Page	Line Start	Page End	Line End				Page	Line Start	Page End	Line End		
Start							Start					
8	3 15	9	4				37	17	38	14	Disney's	
											counterdesignati	
											ons are not	
											sequential with	
											and do not	
											relate to	
											Rearden's	
											designations,	
											and thus will	
											result in juror	
											confusion. They	
											should be	
											stricken on that	
											basis. Disney	
											may offer them	
											in its case in	
											chief. Rearden	
											incorporates this	
											objection into	
											each and every	
											Disney	
											counterdesignati	
											on.	

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9	13	9		FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations"	and so lacking in merit that Rearden	39	7	39	9	
				in light of the Court's pretrial rulings. Dkt. 568. This testimony was	testimony Disney claims was not previously designated was, in fact,					
				•	, , , ,					
				designated by Rearden for the first time on November 8; it was therefore	designated previously. Many					
				not timely disclosed under FRCP	objections to the form of the question that should have been asserted in the					
				26(a)(3) and the Case Management	deposition and were not, so they are					
				Order and should be excluded under	waived. Many presume or assert that					
				FRCP 37(c)(1).	the Court has excluded evidence					
				NCF 37(c)(1).	where in fact there is no such order.					
					Many assert that objections or					
					culloquy has been designated when in					
					fact there is none in the designation.					
					Many are not evidentiary objections					
					but rather Disney arguing its theory of					
					the case or arguing with the witness					
					over testimony that it does not like.					
					Many are relevance objections that					
					the Court has stated would likely be					
					overruled. Rearden requests that the					
					Court overrule all of Disney's					
					objections as excessive. Rearden					
					incorporates this response into each					
					and every Disney objection.					
10		40	40			20	10	20	24	
18	11	18	18	FRCP 26/37, O – The Parties stipulated,		39	18	39	21	
				and the Court ordered, the exchange						
				of "narrowed affirmative designations"						
				in light of the Court's pretrial rulings. Dkt. 568. This testimony was						
				designated by Rearden for the first						
				time on November 8; it was therefore						
				not timely disclosed under FRCP						
				26(a)(3) and the Case Management						
				Order and should be excluded under						
				FRCP 37(c)(1).						
 				1	1	 				

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19	14	19	18	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		39	22	40	11	
23	10	23	15	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		41	7	42	9	
25	12	27	11			42	14	43	8	
31	9		12			43	10	43	10	
33	1	33	7	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		45	11	45	12	

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33	24	34	5	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		45	14	45	15	
34	12	34	14	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		49	5	49	22	
34	23	35	1	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		69	11	69	12	
37	9	37	16		 	70	20	71	13	

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54	16	54	25	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		75	23	76	14	
55	20					78	7	78	10	
57	13	57	15	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		78	12	78	13	
77	10					80			9	
77	16					80			14	
78	15	78	19	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		80	16	80	17	

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78	21	79	5	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		97	15	97	23	
79	11	79	14			104	10	104	20	
79	16					149		149	24	
80	1	80		FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		150		150	4	
				81:5-7: NR - Everything after "No" is not responsive to the question and should be stricken.						
81	19	81	23	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).						

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97	8	97	14	97:11-14: NR - Everything after "No" is not responsive to the question and should be stricken.	
97	24	99	2		
100	5	101		FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	
146	8	146	16		
147	16	147		147:19-23: NR - Everything after "No" is not responsive to the question and should be stricken.	
149	11	149	13		
149	16	149	18		
150	6	150	11		
150	13	151	19		

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Hao Li - May 28, 2020 Plaintiffs' Designations Defendant's Objections Rearden's Response Ruling Defendant's Counter-Designations												
	Plaintiffs' D	esignations	3	Defendant's Objections	Rearden's Response	Ruling	Defen	dant's Cour	nter-Design	ations		Ruling
											Objections	
Page	Line Start	Page End	Line End				Page	Line Start	Page End	Line End		
Start							Start					
6	8	6	15				46	14	46	18	Disney's	
											counterdesignati	
											ons are not	
											sequential with	
											and do not	
											relate to	
											Rearden's	
											designations,	
											and thus will	
											result in juror	
											confusion. They	
											should be	
											stricken on that	
											basis. Disney	
											may offer them	
											in its case in	
											chief. Rearden	
											incorporates this	
											objection into	
											each and every	
											Disney	
											counterdesignati	
											on.	
8		10	11				47		47			
50		51	1				48		48			
51		51	18				48		49			
52		54	1				54		55			
55		55	23	i e			99		99			
57	16	59	8				126	8	126	13		

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65	12	66	2	FRCP 26/37, O – The Parties stipulated,	Disney's objections are too numerous	127	17	127	20	
				and the Court ordered, the exchange of						
				"narrowed affirmative designations" in	will not respond individually. Often,					
				light of the Court's pretrial rulings.	testimony Disney claims was not					
				Dkt. 568. This testimony was	previously designated was, in fact,					
				designated by Rearden for the first	designated previously. Many					
					, , ,					
				time on November 8; it was therefore	objections to the form of the question					
				not timely disclosed under FRCP	that should have been asserted in the					
				26(a)(3) and the Case Management	deposition and were not, so they are					
				Order and should be excluded under	waived. Many presume or assert that					
				FRCP 37(c)(1).	the Court has excluded evidence where					
					in fact there is no such order. Many					
					assert that objections or culloquy has					
					been designated when in fact there is					
					none in the designation. Many are not					
					evidentiary objections but rather					
					Disney arguing its theory of the case or					
					arguing with the witness over					
					testimony that it does not like. Many					
					are relevance objections that the Court					
					has stated would likely be overruled.					
					Rearden requests that the Court					
					overrule all of Disney's objections as					
					excessive. Rearden incorporates this					
					response into each and every Disney					
					objection.					
66	7	_	25			127	25	128	12	
68	5		5			130	20	131	6	
68	18		5			148	15	150	7	
70	10		15							
71	5		3							
91	24	96	5	FRCP 26/37, O – The Parties stipulated,						
				and the Court ordered, the exchange of						
				"narrowed affirmative designations" in						
				light of the Court's pretrial rulings.						
				Dkt. 568. This testimony was						
				designated by Rearden for the first						
				time on November 8; it was therefore						
				not timely disclosed under FRCP						
				26(a)(3) and the Case Management						
				Order and should be excluded under						
				FRCP 37(c)(1).						

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98 20 99 18 FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in	
light of the Court's pretrial rulings.	
Dkt. 568. This testimony was	
designated by Rearden for the first	
time on November 8; it was therefore	
not timely disclosed under FRCP	
26(a)(3) and the Case Management	
Order and should be excluded under	
FRCP 37(c)(1).	
108 19 109 4	
146 10 147 1	
151 3 151 13	
151 18 152 12	
161 12 161 22 FRCP 26/37, O – The Parties stipulated,	
and the Court ordered, the exchange of	
"narrowed affirmative designations" in	
light of the Court's pretrial rulings.	
Dkt. 568. This testimony was	
designated by Rearden for the first	
time on November 8; it was therefore	
not timely disclosed under FRCP	
26(a)(3) and the Case Management	
Order and should be excluded under	
FRCP 37(c)(1).	
161 25 162 5 FRCP 26/37, O – The Parties stipulated,	
and the Court ordered, the exchange of	
"narrowed affirmative designations" in	
light of the Court's pretrial rulings.	
Dkt. 568. This testimony was	
designated by Rearden for the first	
time on November 8; it was therefore	
not timely disclosed under FRCP	
26(a)(3) and the Case Management	
Order and should be excluded under	
FRCP 37(c)(1).	

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162	10	162	14	FRCP 26/37, O – The Parties stipulated,				
				and the Court ordered, the exchange of				
				"narrowed affirmative designations" in				
				light of the Court's pretrial rulings.				
				Dkt. 568. This testimony was				
				designated by Rearden for the first				
				time on November 8; it was therefore				
				not timely disclosed under FRCP				
				26(a)(3) and the Case Management				
				Order and should be excluded under				
				FRCP 37(c)(1).				

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					Kevin Mayer - February 10,	2023						
	Plaintiffs' D	esignation	s	Defendant's Objections	Rearden's Response	Ruling	Defen	dant's Cour	nter-Design	ations	Plaintiffs'	Ruling
											Objections	
Page	Line Start	Page End	Line End				Page	Line Start	Page End	Line End		
Start							Start					
9	7	9	13				95	23	96	8	Disney's	
											counterdesignati	
											ons are not	
											sequential with	
											and do not	
											relate to	
											Rearden's	
											designations,	
											and thus will	
											result in juror	
											confusion. They	
											should be	
											stricken on that	
											basis. Disney	
											may offer them	
											in its case in	
											chief. Rearden	
											incorporates this	
											objection into	
											each and every	
											Disney	
											counterdesignati	
											on.	

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9	19	9	23	9:22-23: 402 - the witness's home	Disney's objections are too numerous				
				address is not relevant; there is no	and so lacking in merit that Rearden				
				legitimate reason to disclose it publicly					
				,	testimony Disney claims was not				
					previously designated was, in fact,				
					designated previously. Many				
					objections to the form of the question				
					that should have been asserted in the				
					deposition and were not, so they are				
					waived. Many presume or assert that				
					the Court has excluded evidence				
					where in fact there is no such order.				
					Many assert that objections or				
					culloquy has been designated when in				
					fact there is none in the designation.				
					Many are not evidentiary objections				
					but rather Disney arguing its theory of				
					the case or arguing with the witness				
					over testimony that it does not like.				
					Many are relevance objections that				
					the Court has stated would likely be				
					overruled. Rearden requests that the				
					Court overrule all of Disney's				
					objections as excessive. Rearden				
					incorporates this response into each				
					and every Disney objection.				
47	22	40	-						
17 19	23 15		6 24	1					
39	2		5						
39	14		18						
40	23			FRCP 26/37, O – The Parties stipulated,					
				and the Court ordered, the exchange					
				of "narrowed affirmative					
				designations" in light of the Court's					
				pretrial rulings. Dkt. 568. This					
				testimony was designated by Rearden					
				for the first time on November 8; it					
				was therefore not timely disclosed					
				under FRCP 26(a)(3) and the Case					
				Management Order and should be					
				excluded under FRCP 37(c)(1).					

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41	14	42	10					
42	20							
45	3							
46	13			FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).				
47	4	47	11	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).				
50	16	50	17					
51	2		8					
51	12		21					
52	7	53						
53	23							
56	2							
57	6							
59	10							
62	9							
63	2							
63	19							
77	9							
78	1	78						
78	13							
80	6		10					
٥٥	ō	91	10	<u>'</u>				

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Gayle Munro – March 10, 2023 Plaintiffs' Designations Defendant's Objections Rearden's Response Defendant's Confidentiality Ruling Defendant's Counter-Designati														
				Defendant's Objections	Rearden's Response	Defendant's Confidentiality Designation	Ruling	Defen				Objections	Defendant's Confidentiality Designation	Ruling
Page	Line Start	Page End	Line End					Page	Line Start	Page End	Line End			
Start								Start						
4	25	5	4					7	12	7	20	Disney's		
												counterdesignati		
												ons are not		
												sequential with		
												and do not		
												relate to		
												Rearden's		
												designations,		
												and thus will		
												result in juror confusion. They		
												should be		
												stricken on that		
												basis. Disney		
												may offer them		
												in its case in		
												chief. Rearden		
												incorporates this		
												objection into		
												each and every		
												Disney		
												counterdesignati		
												on.		
5	9	5	11					8		9				
5		5	22					93						
6		6	6					94						
6			24					94	21	95	5			<u> </u>
88		89	15					101				1		
94			20					109				1		
95			16					109						'
104			3					109						'
109			4					113						
113			14					115						
113			23					122						
114			15					122				1	-	
114	18	114	23					136	14	136	16	1	<u> </u>	

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120	13	120	15	FRCP 26/37, O – The Parties stipulated,	Disney's objections are too numerous and		149	8	149	19		
					so lacking in merit that Rearden will not							
				"narrowed affirmative designations" in	respond individually. Often, testimony							
				light of the Court's pretrial rulings. Dkt.	Disney claims was not previously							
				568. This testimony was designated by	designated was, in fact, designated							
				Rearden for the first time on	previously. Many objections to the form							
				November 8; it was therefore not	of the question that should have been							
				timely disclosed under FRCP 26(a)(3)	asserted in the deposition and were not,							
				and the Case Management Order and	so they are waived. Many presume or							
				should be excluded under FRCP	assert that the Court has excluded							
				37(c)(1).	evidence where in fact there is no such							
					order. Many assert that objections or							
					culloquy has been designated when in fact							
					there is none in the designation. Many							
					are not evidentiary objections but rather							
					Disney arguing its theory of the case or							
					arguing with the witness over testimony							
					that it does not like. Many are relevance							
					objections that the Court has stated would							
					likely be overruled. Rearden requests that							
					the Court overrule all of Disney's							
					objections as excessive. Rearden							
					incorporates this response into each and							
					every Disney objection.							
121	6	121	18	FRCP 26/37, O – The Parties stipulated,			150	2	150	5		
	· ·			and the Court ordered, the exchange of			150	_	150			
				"narrowed affirmative designations" in								
				light of the Court's pretrial rulings. Dkt.								
				568. This testimony was designated by								
				Rearden for the first time on								
				November 8; it was therefore not								
				timely disclosed under FRCP 26(a)(3)								
				and the Case Management Order and								
				should be excluded under FRCP								
				37(c)(1).								
				37(0)(1).								
121	20	121	21	FRCP 26/37, O – The Parties stipulated,			150	14	150	17		
	_5			and the Court ordered, the exchange of]				
				"narrowed affirmative designations" in								
				light of the Court's pretrial rulings. Dkt.								
				568. This testimony was designated by								
				Rearden for the first time on								
				November 8; it was therefore not								
				timely disclosed under FRCP 26(a)(3)								
				and the Case Management Order and								
				should be excluded under FRCP								1 1
				37(c)(1).								

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121	23	122	2 FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	150	18	150	19		
135	17	135	18 FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	150	21	150	22		
135	24	135	25 FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	150	24	151	1		
142	21	143	10 DOC - This testimony concerns a document (displayed on screen in the deposition video) that is not a trial exhibit and may not be published to the jury.	151	3	151	6		

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	-					1						
				FRCP 26/37, O – The Parties stipulated,								
				and the Court ordered, the exchange of								
				"narrowed affirmative designations" in								
				light of the Court's pretrial rulings. Dkt.								
				568. This testimony was designated by								
				Rearden for the first time on								
				November 8; it was therefore not								
				timely disclosed under FRCP 26(a)(3)								
				and the Case Management Order and								
				should be excluded under FRCP								
				37(c)(1).								
146	4	146	16	DOC - This testimony concerns a			151	13	151	22		
				document (displayed on screen in the								
				deposition video) that is not a trial								
				exhibit and may not be published to								
\vdash				the jury.		1	1	-			 	
				FRCP 26/37, O – The Parties stipulated,								
				and the Court ordered, the exchange of								
				"narrowed affirmative designations" in								
				light of the Court's pretrial rulings. Dkt.								
				568. This testimony was designated by								
				Rearden for the first time on								
				November 8; it was therefore not								
				timely disclosed under FRCP 26(a)(3)								
				and the Case Management Order and								
				should be excluded under FRCP								
				37(c)(1).								
148	22	149 151	5				152		152 153			
151	8		9 20			1	153					
152	14 23	152				-	159					\vdash
152	23	153	/	153:1-7: FRCP 26/37, O – The Parties			162	3	162	4		
				stipulated, and the Court ordered, the								
				exchange of "narrowed affirmative								
				designations" in light of the Court's								
				pretrial rulings. Dkt. 568. This								
				testimony was designated by Rearden								
				for the first time on November 8; it								
				was therefore not timely disclosed								
				under FRCP 26(a)(3) and the Case								
				Management Order and should be								
				_								
				excluded under FRCP 37(c)(1).								
450	3.1	450				1	463	_	163	42		\vdash
158	24	159	5			1	162		162		1	\vdash
159	11	159	20	i		1	162	17			 	\vdash
160	1	160	3			1	163		163		-	\vdash
160	6	160	12			1	164		164		 	\vdash
160	14	160	23				164		164			
161		161	6			1	164		164		 	\vdash
161 161	9 18	161 161	10 22			1	164 177		164 177		Canfidantial	\vdash
		1611	22	ı		1	1//	6	1//	9	Confidential	1

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161	24	162	1					177	13	177	17	Confidential	
162	13	162		FRCP 26/37, O – The Parties stipulated,				181	15	181	19	Commucina	
102	13	102	10					101	13	101	19		
				and the Court ordered, the exchange of									
				"narrowed affirmative designations" in									
				light of the Court's pretrial rulings. Dkt.									
				568. This testimony was designated by									
				Rearden for the first time on									
				November 8; it was therefore not									
				timely disclosed under FRCP 26(a)(3)									
				and the Case Management Order and									
				should be excluded under FRCP									
				37(c)(1).									
165	19	166	6	165:19-166:3: FRCP 26/37, O – The		Confidential		181	21	182	6		
				Parties stipulated, and the Court									
				ordered, the exchange of "narrowed									
				affirmative designations" in light of the									
				Court's pretrial rulings. Dkt. 568. This									
				testimony was designated by Rearden									
				for the first time on November 8; it									
				was therefore not timely disclosed									
				under FRCP 26(a)(3) and the Case									
				Management Order and should be									
				excluded under FRCP 37(c)(1).									
166	10	166	16			Confidential		182	10	183	1		
167	3	167	10			Confidential		185	11	186			
167	17	168	2			Confidential		186	4	186			
168	6	168	14			Confidential		186	18	186	20		
168	17	168	24			Confidential		186	24	187	13		
169	15	169	18	L - This question calls for the witness to		Confidential		187	16	187	19		
				offer a legal conclusion as to the									
				meaning of a contract.									
169	25	170	8	-		Confidential		190	4	190	9		
170	11	170	15			Confidential		190	25	191	15		
170	18	171	3			Confidential		196	14	197			
171	7	171	10			Confidential		199	5	199	14		
171	14	171	24			Confidential		238	24	239			
172	2	173	13			Confidential	 	239	21	240			
173	22	174	2			Confidential		240	11	240			
173	13	174		174:18-19: MIL 5, 403 - The Court has		Confidential	 	240	20	240			
1/4	13	1/4	19	*		Commutation		240	20	240	24		
				excluded evidence of the									
				indemnification provision in this									
				contract under FRE 403; that provision									
				is visible on screen during this portion									
				of the witness's testimony and may not									
				be published to the jury. Defendant									
				will withdraw this objection if Plaintiffs									
				redact the portion of the screen that									
				displays the indemnification provision.									
				·									
					<u> </u>	<u> </u>					-		

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174	5	175	2 MIL 5, 403 - The Court has excluded evidence of the indemnification provision in this contract under FRE 403; that provision is visible on screen during this portion of the witness's testimony and may not be published to the jury. Defendant will withdraw this objection if Plaintiffs redact the portion of the screen that displays the indemnification provision. 9 MIL 5, 403 - The Court has excluded evidence of the indemnification provision in this contract under FRE 403; that provision is visible on screen during this portion of the witness's testimony and may not be published to the jury. Defendant will withdraw this objection if Plaintiffs redact the portion of the screen that displays the	Confidential 241 1 241 6	
175	12	175	indemnification provision. 18 MIL 5, 403 - The Court has excluded evidence of the indemnification provision in this contract under FRE 403; that provision is visible on screen during this portion of the witness's testimony and may not be published to the jury. Defendant will withdraw this objection if Plaintiffs redact the portion of the screen that displays the indemnification provision. 175:15-18: L - This question calls for the witness to offer a legal conclusion as to the meaning of a contract.	Confidential	
175 175	21 25	175 176	21 1 MIL 5, 403 - The Court has excluded evidence of the indemnification provision in this contract under FRE 403; that provision is visible on screen during this portion of the witness's testimony and may not be published to the jury. Defendant will withdraw this objection if Plaintiffs redact the portion of the screen that displays the indemnification provision.	Confidential Confidential	
176 176	10 16	176 176	13 21 176:18-21: L - This question calls for the witness to offer a legal conclusion as to the meaning of a contract.	Confidential Confidential	
176 177	25 19	177 177	4 22	Confidential Confidential	
1//	19	1//	44	Connuential	

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177	25	178		178:3-6: FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	Confidential				
178	10	178		FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	Confidential				
180	2	180	15						
180	17	180	18						
181	4	181		181:1-14: FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).					
195	3	195		402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct.				 	
195	23	196		402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct.					
196	11	196	12	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct.					

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	Plaintiffs' D	esignation	s	Defendant's Objections	rce, Ken - SHST Trial Vol. 2 (SHST ECF No. Rearden's Response	Ruling	Defer	ndant's Cour	nter-Design	ations	Plaintiffs' Objections	Ruling
Page Start	Line Start	Page End	Line End				Page Start	Line Start	Page End	Line End		
				trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.	designated previously. Many objections to the form of the question that should have been asserted in the deposition and were not, so they are waived. Many presume or assert that						counterdesignati ons are not sequential with and do not relate to Rearden's designations, and thus will result in juror	
					the Court has excluded evidence where in fact there is no such order. Many assert that objections or cullolquy has been designated when in fact there is none in the designation. Many are not evidentiary objections but rather Disney arguing its theory of the case or arguing with the witness over testimony that it does not like. Many are relevance objections that the Court has stated would likely be overruled. Rearden requests that the Court						confusion. They should be stricken on that basis. Disney may offer them in its case in chief. Rearden incorporates this objection into each and every Disney counterdesignati	
					overrule all of Disney's objections as excessive. Rearden incorporates this response into each and every Disney objection. TCE, Ken - SHST Trial Vol. 3 (SHST ECF No.	205)					on.	

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				1			1			1	
430	4	433		804(b)(1): Rearden cannot offer SHST	Disney's objections are too numerous						
				trial testimony against Defendant	and so lacking in merit that Rearden						
				because no party to the SHST litigation	•						
				is a predecessor in interest to	testimony Disney claims was not						
				Defendant, and the parties to the SHST	previously designated was, in fact,						
				litigation did not have a similar motive	designated previously. Many						
				to develop the testimony.	objections to the form of the question						
					that should have been asserted in the						
					deposition and were not, so they are						
					waived. Many presume or assert that						
					the Court has excluded evidence where						
					in fact there is no such order. Many						
					assert that objections or culloquy has						
					been designated when in fact there is						
					none in the designation. Many are not						
					evidentiary objections but rather						
					Disney arguing its theory of the case or						
					arguing with the witness over						
					testimony that it does not like. Many						
					are relevance objections that the Court						
					has stated would likely be overruled.						
					Rearden requests that the Court						
					overrule all of Disney's objections as						
					excessive. Rearden incorporates this						
					response into each and every Disney						
					objection.						
433	8	433	18	804(b)(1): Rearden cannot offer SHST							
.55		.55		trial testimony against Defendant							
				because no party to the SHST litigation							
				is a predecessor in interest to							
				Defendant, and the parties to the SHST							
				litigation did not have a similar motive							
				to develop the testimony.							
				to develop the testimony.							
		ı		1	1	ı	1		<u> </u>	l	

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434	2	434	10	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
434	16	434	24	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
435	6	437	13	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
437	16	437	18	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				
438	18	441	9	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.				

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441	10	442	24	4 804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.	
444	8	445	10	because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.	
445	14	446	20	804(b)(1): Rearden cannot offer SHST trial testimony against Defendant because no party to the SHST litigation is a predecessor in interest to Defendant, and the parties to the SHST litigation did not have a similar motive to develop the testimony.	

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Page Start Defendant's Objections Rearden's Response Ruling Defendant's Counter-Designations Plaintiffs' Objections Objecti						Kelly Port – February 5, 2	2023						
Page Start Line Start Page End Start Disney's counterdesignations and that will and do not relate to Rearden's designations, and thus will result in juror confusion. They should be stricken on that basis. Disney may offer them in its case in chief. Rearden incorporates this objection into each and every Disney counterdesignation on. Page End Start Page End Start </th <th></th> <th>Plaintiffs' D</th> <th>esignation</th> <th>s</th> <th>Defendant's Objections</th> <th>Rearden's Response</th> <th>Ruling</th> <th>Defen</th> <th>dant's Cou</th> <th>nter-Desigr</th> <th>nations</th> <th></th> <th>Ruling</th>		Plaintiffs' D	esignation	s	Defendant's Objections	Rearden's Response	Ruling	Defen	dant's Cou	nter-Desigr	nations		Ruling
9 15 9 17 14 10 14 12 Disney's counterdesignations are not sequential with and do not relate to Rearden's designations, and thus will result in juror confusion. They should be stricken on that basis. Disney may offer them in its case in chief. Rearden incorporates this objection into each and every Disney counterdesignation. 9 20 9 21 101 10 102 20	_	Line Start	Page End	Line End					Line Start	Page End	Line End		
		15	9	17					10	14	12	counterdesignations are not sequential with and do not relate to Rearden's designations, and thus will result in juror confusion. They should be stricken on that basis. Disney may offer them in its case in chief. Rearden incorporates this objection into each and every	
												on.	
								101 108					

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	_		_			1			
14	7	14	8	FRCP 26/37, O – The Parties stipulated,					
				and the Court ordered, the exchange of					
					will not respond individually. Often,				
				light of the Court's pretrial rulings.	testimony Disney claims was not				
				Dkt. 568. This testimony was	previously designated was, in fact,				
				designated by Rearden for the first	designated previously. Many				
				time on November 8; it was therefore	objections to the form of the question				
				not timely disclosed under FRCP	that should have been asserted in the				
				26(a)(3) and the Case Management	deposition and were not, so they are				
				Order and should be excluded under	waived. Many presume or assert that				
				FRCP 37(c)(1).	the Court has excluded evidence where				
					in fact there is no such order. Many				
					assert that objections or culloquy has				
					been designated when in fact there is				
					none in the designation. Many are not				
					evidentiary objections but rather				
					Disney arguing its theory of the case or				
					arguing with the witness over				
					testimony that it does not like. Many				
					are relevance objections that the Court				
					has stated would likely be overruled.				
					Rearden requests that the Court				
					overrule all of Disney's objections as				
					excessive. Rearden incorporates this				
					response into each and every Disney				
					objection.				
14	13	14	13	FRCP 26/37, O – The Parties stipulated,					
				and the Court ordered, the exchange of					
				"narrowed affirmative designations" in					
				light of the Court's pretrial rulings.					
				Dkt. 568. This testimony was					
				designated by Rearden for the first					
				time on November 8; it was therefore					
				not timely disclosed under FRCP					
				26(a)(3) and the Case Management					
				Order and should be excluded under					
				FRCP 37(c)(1).					
31	6	31	11	31:6-7: V. Question does not make					
				sense as phrased.					
		•		•	•				

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42	5	42		FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	
45	3	45	21	1 45:11: 402. Counsel's objections should not be included.	
45	23	45	23	3	
46	2	46	5		
46	10	46	13		
47	12	47	16	whether it is referring to all data captured in a session or just selected data; improperly assumes it is all data, contrary to the evidence.	
47	19	47	25	to whether it is referring to all data captured in a session or just selected data; improperly assumes it is all data, contrary to the evidence.	
48	2	48	2	2	
49	20	50		be 402/403, MIL 1. Document is excluded per ruling on MIL 1, testimony about the existence of an injunction is prejudicial and irrelevant given the Court's MSJ ruling.	
51	19	51	21	1 V, 402, 403. Vague as to "state of completion"; evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSJ ruling.	

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				FRCP 26/37, O – The Parties stipulated,				
				and the Court ordered, the exchange of				
				"narrowed affirmative designations" in				
				light of the Court's pretrial rulings.				
				Dkt. 568. This testimony was				
				designated by Rearden for the first				
				time on November 8; it was therefore				
				not timely disclosed under FRCP				
				26(a)(3) and the Case Management				
				Order and should be excluded under				
				FRCP 37(c)(1).				
52	1	52	8	52:1-4: FRCP 26/37, O – The Parties				
				stipulated, and the Court ordered, the				
				exchange of "narrowed affirmative				
				designations" in light of the Court's				
				pretrial rulings. Dkt. 568. This				
				testimony was designated by Rearden				
				for the first time on November 8; it was				
				therefore not timely disclosed under				
				FRCP 26(a)(3) and the Case				
				Management Order and should be				
				excluded under FRCP 37(c)(1).				
				52:5-8: 402, 403. Evidence of the				
				injunction and post-injunction DD3				
				work is irrelevant given the Court's MSJ				
				ruling.				
52	12							
52	24	53	13	402, 403, H. Evidence of the injunction				
				and post-injunction DD3 work is				
				irrelevant given the Court's MSJ ruling;				
				document is being offered for the truth				
				and no hearsay exception applies. The				
				statements are not admissions of a				
				party opponent and no foundation has				
				been laid to show the document is a				
				business record.				

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and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Menagement Order and should be excluded under FRCP 37(c)(1). 542:35:51: 402, 403, H. Evidence of the Injunction and post-injunction DD3 work is irrelevant given the Court's MSI ruling; document is being offered for the truth and no hearsy exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. 55 7 55 9 402, 403, H, ATT, ARG. Evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSI ruling; document is being offered for the truth and no hearsy exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. 55 7 55 9 402, 403, H, ATT, ARG. Evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSI ruling; document is being offered for the truth and no hearsy exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. Counsel is simply reading his own interpretation of the document into the record after the witness has said				_			1	
"narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26a] and the Case Management Order and should be excluded under FRCP 27[c](1). 54:23-55:1:402, 403, H. Evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSJ ruling; document is being offered for the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. 55 7 55 9 402, 403, H, ATT, ARG. Evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSJ ruling; document is being offered for the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation and post-injunction DD3 work is irrelevant given the Court's MSJ ruling; document is being offered for the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. Coursel is simply reading his own interpretation of the document into the record after the witness has said	54	23	55	5				
light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1). 54:23-55:1: 402, 403, H. Evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSJ ruling, document is being offered for the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. 55 7 55 9 402, 403, H, ATT, ARG. Evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSJ ruling, document is being offered for the truth and no hearsay exception applies. The statements are not admissions of a party engineering the form of the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is being offered for the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. Counsel is simply reading his own interpretation of the document into the record after the witness has said								
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designated by Rearden for the first time on November 8; it was therefore not timely disclosed under RRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1). 54:23-55:: 402, 403, H. Evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSJ ruling; document is being offered for the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. 55 7 55 9 402, 403, H, ATT, ARG. Evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSJ ruling; document is being offered for the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. Counsel is simply reading his own interpretation of the document into the record after the witness has said					light of the Court's pretrial rulings.			
time on November 8; it was therefore not timely disclosed under FRCP 26[a][3] and the Case Management Order and should be excluded under FRCP 37(c)[1]. 54:23-55:1: 402, 403, H. Evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSI ruling; document is being offered for the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. 55 7 55 9 402, 403, H, ATT, ARG. Evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSJ ruling; document is being offered for the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. Counsel is simply reading his own interpretation of the document is a business record. Counsel is simply reading his own interpretation of the document into the record after the witness has said					Dkt. 568. This testimony was			
not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1). 54:23-55:1: 402, 403, H. Evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSI ruling; document is being offered for the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. 55 7 55 9 402, 403, H, ATT, ARG. Evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSI ruling; document is being offered for the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. Counse is simply reading his own interpretation of the document into the record after the witness has said					designated by Rearden for the first			
26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1). 54:23-55:1: 402, 403, H. Evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSI ruling; document is being offered for the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. 55 7 55 9 402, 403, H, ATT, ARG. Evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSI ruling; document is being offered for the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. Counsel is simply reading his own interpretation of the document into the record after the witness has said					time on November 8; it was therefore			
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FRCP 37(c)(1). 54:23-55:1: 402, 403, H. Evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSJ ruling; document is being offered for the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. 55 7 55 9 402, 403, H, ATT, ARG. Evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSJ ruling; document is being offered for the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. Counsel is simply reading his own interpretation of the document into the record after the witness has said					26(a)(3) and the Case Management			
54:23-55:1: 402, 403, H. Evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSJ ruling; document is being offered for the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. 55 7 55 9 402, 403, H, ATT, ARG. Evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSJ ruling; document is being offered for the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. Counsel is simply reading his own interpretation of the document into the record after the witness has said					Order and should be excluded under			
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the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. 55					work is irrelevant given the Court's MSJ			
applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. 55 7 55 9 402, 403, H, ATT, ARG. Evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSJ ruling; document is being offered for the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. Counsel is simply reading his own interpretation of the document into the record after the witness has said					ruling; document is being offered for			
admissions of a party opponent and no foundation has been laid to show the document is a business record. 55 7 55 9 402, 403, H, ATT, ARG. Evidence of the injunction and post-injunction DD3 work is irrelevant given the Court's MSJ ruling; document is being offered for the truth and no hearsay exception applies. The statements are not admissions of a party opponent and no foundation has been laid to show the document is a business record. Counsel is simply reading his own interpretation of the document into the record after the witness has said					the truth and no hearsay exception			
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admissions of a party opponent and no foundation has been laid to show the document is a business record. Counsel is simply reading his own interpretation of the document into the record after the witness has said					the truth and no hearsay exception			
foundation has been laid to show the document is a business record. Counsel is simply reading his own interpretation of the document into the record after the witness has said					applies. The statements are not			
document is a business record. Counsel is simply reading his own interpretation of the document into the record after the witness has said					admissions of a party opponent and no			
Counsel is simply reading his own interpretation of the document into the record after the witness has said					foundation has been laid to show the			
interpretation of the document into the record after the witness has said					document is a business record.			
interpretation of the document into the record after the witness has said					Counsel is simply reading his own			
the record after the witness has said								
he doesn't recall it.								
					he doesn't recall it.			

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	1				I				
				FRCP 26/37, O – The Parties stipulated,					
				and the Court ordered, the exchange of					
				"narrowed affirmative designations" in					
				light of the Court's pretrial rulings.					
				Dkt. 568. This testimony was					
				designated by Rearden for the first					
				time on November 8; it was therefore					
				not timely disclosed under FRCP					
				26(a)(3) and the Case Management					
				Order and should be excluded under					
				FRCP 37(c)(1).					
55	12	55	19	FRCP 26/37, O – The Parties stipulated,					
				and the Court ordered, the exchange of					
				"narrowed affirmative designations" in					
				light of the Court's pretrial rulings.					
				Dkt. 568. This testimony was					
				designated by Rearden for the first					
				time on November 8; it was therefore					
				not timely disclosed under FRCP					
				26(a)(3) and the Case Management					
				Order and should be excluded under					
				FRCP 37(c)(1).					
				55:15-18: 402, 403, H, ATT, ARG.					
				Evidence of the injunction and post-					
				injunction DD3 work is irrelevant given					
				the Court's MSJ ruling; document is					
				being offered for the truth and no					
				hearsay exception applies. The					
				statements are not admissions of a					
				party opponent and no foundation has					
				been laid to show the document is a					
				business record. Counsel is simply					
				reading his own interpretation of the					
				document into the record after the					
				witness has said he doesn't recall it.					
103	5	103	8	402, 403. Evidence of the injunction]	·		
				and post-injunction DD3 work is					
				irrelevant given the Court's MSJ ruling					
103	11	103	19	103:13-15: 402, 403. Evidence of the]	·		
				injunction and post-injunction DD3					
				work is irrelevant given the Court's MSJ					
				ruling					

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103	21	104	11						
104	16	104	18						
104	20	105	6	105:5-6: 701, S, V, Improper re-cross.					
				Calls for an expert opinion and					
				speculation, vague as to "important					
				contribution" and exceeds the scope of	F				
				the re-direct exam.					
105	11	105	17						
105	22	106	1						
106	8		10						
106	14	106		701, S, V, Improper re-cross. Calls for					
				an expert opinion and speculation,					
				vague as to "important" and					
				"contribution" and exceeds the scope					
				of the re-direct exam.					
106	21	107	4	106:23-107: V, S. Vague as to "the					
				production side of the film" and calls					
				for speculation.					
107	7	107	15						
107	17	107	17						
107	21	107	24	107:23-24: 701, S, V, Improper re-cross.					
				Calls for an expert opinion and					
				speculation, vague as to "important"					
				and "contribution" and exceeds the					
				scope of the re-direct exam.					
108	3	108	4						
109	12	109		402/403: Evidence of post-injunction					
				conduct is irrelevant in light of the					
				Court's summary judgment ruling that					
				Defendant is not liable for any post-					
				injunction conduct.					
109	20	109	22	109:20-21: 402/403: Evidence of post-					
				injunction conduct is irrelevant in light					
				of the Court's summary judgment					
				ruling that Defendant is not liable for					
				any post-injunction conduct.					

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					Mimi S	iteele - March 11, 2020								
	Plaintiffs' D	esignations	5	Defendant's Objections	Rearden's Response	Defendant's Confidentiality Designation	Ruling	Defen	dant's Cou	nter-Desigr		Plaintiffs' Objections	Defendant's Confidentiality Designation	Ruling
Page Start	Line Start	Page End	Line End					Page Start	Line Start	Page End	Line End			
7	3	7	7					10	23	11		Disney's counterdesignations are not sequential with and do not relate to Rearden's designations, and thus will result in juror confusion. They should be stricken on that basis. Disney may offer them in its case in chief. Rearden incorporates this objection into each and every Disney counterdesignation.		
7	10		14					11						
7	17		20					23						
8								24						
9	13							27						
9		10						27						
10		10	22					115						
22	. 22	23	2					120	12	121	2			
23		23	14					125		125		1		

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24	15	24	22	FRCP 26/37, O - The Parties stipulated.	Disney's objections are too numerous and					
					so lacking in merit that Rearden will not					
					respond individually. Often, testimony					
				_	Disney claims was not previously					
				Dkt. 568. This testimony was	designated was, in fact, designated					
				· · · · · · · · · · · · · · · · · · ·	previously. Many objections to the form of					
					the question that should have been					
				l ·	·					
				not timely disclosed under FRCP	asserted in the deposition and were not, so					
					they are waived. Many presume or assert					
					that the Court has excluded evidence					
				FRCP 37(c)(1).	where in fact there is no such order. Many					
					assert that objections or culloquy has been					
					designated when in fact there is none in					
					the designation. Many are not evidentiary					
					objections but rather Disney arguing its					
					theory of the case or arguing with the					
					witness over testimony that it does not					
					like. Many are relevance objections that					
					the Court has stated would likely be					
					overruled. Rearden requests that the					
					Court overrule all of Disney's objections as					
					excessive. Rearden incorporates this					
					response into each and every Disney					
					objection.					
27	25	28	13							
48	5	48	11	DOC - This testimony concerns a						
				document that is not a trial exhibit and						
				may not be published to the jury.						
				FRCP 26/37, O – The Parties stipulated,						
				and the Court ordered, the exchange						
				of "narrowed affirmative designations"						
				in light of the Court's pretrial rulings.						
				Dkt. 568. This testimony was						
				designated by Rearden for the first						
				time on November 8; it was therefore						
				not timely disclosed under FRCP						
				26(a)(3) and the Case Management						
				Order and should be excluded under						
				FRCP 37(c)(1).						
							•			

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48	19	48	าา	FRCP 26/37, O – The Parties stipulated,					
48	19	48	22						
				and the Court ordered, the exchange					
				of "narrowed affirmative designations"					
				in light of the Court's pretrial rulings.					
				Dkt. 568. This testimony was					
				designated by Rearden for the first					
				time on November 8; it was therefore					
				not timely disclosed under FRCP					
				26(a)(3) and the Case Management					
				Order and should be excluded under					
				FRCP 37(c)(1).					
				FRCP 37(c)(1).					
				48:22: Defendant objects to the					
				incomplete designation of a question					
				without an answer.					
69	5	69	15	without an answer.					
70	8	70	14						
72	17	73	3						
110	2	110	11	DOC, 402/403 - This testimony					
				concerns a document that is not a trial					
				exhibit and may not be published to					
				the jury; further, evidence of post-					
				injunction conduct is irrelevant in light					
				of the Court's summary judgment					
				ruling that Defendant is not liable for					
				any post-injunction conduct.					
111	22	111	24	402, 403: Evidence of post-injunction					
				conduct] is irrelevant in light of the					
				Court's summary judgment ruling that					
				Defendant is not liable for any post-					
				injunction conduct.					
112	2	112	2	402, 403: Evidence of post-injunction					
112	2	112	2						
				conduct] is irrelevant in light of the					
				Court's summary judgment ruling that					
				Defendant is not liable for any post-					
				injunction conduct.					
112	4	112	21	402, 403: Evidence of post-injunction					
				conduct] is irrelevant in light of the					
				Court's summary judgment ruling that					
				Defendant is not liable for any post-					
				injunction conduct.					
113	18	114	7						
114	11	114	14						
114	22	114	22						

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116	15	117	16	116:20-21: FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).						
117	21	118	3	117:23-118:3: 403/O - Any probative value is outweighed by the prejudicial risk of the jury drawing an improper adverse inference from Defendant's assertion of privilege over the referenced communications with counsel.						
				FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).						
118	5	118	5	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).						
119	3	119	13							
124	4	124	20							
128	8	128	16			<u> </u>				

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128	18	129	8	129:7-8: FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).								
129	10	129	24	129:10: FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).								
J	ļ				Mimi Ste	ele - February 13, 2023	ļ					
7	5	7	7		Willin Ste	- 1 Co. dai y 13, 2023	7	15	7	22		
7	12	7	14				22					
7	23	8	3				24	18		1		
8	5	8	5				32	19		21		
17	4	17		402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct.			32	25		5		
17	9	17		402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct.			33	7	33	9		
17	22	18	8	402/403: Evidence of post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct.			37	1	37	3		

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40	4.4	40		402/402 5 : 1		1	27		27	4-		
18	14	18	16	402/403: Evidence of post-injunction			37	8	37	15		
				conduct is irrelevant in light of the								
				Court's summary judgment ruling that								
				Defendant is not liable for any post-								
				injunction conduct. In addition, this								
				testimony is likely to confuse the jury								
				because Plaintiffs have not designated								
				the prior line of questions referred to								
				in this question.								
18	18	18	25	402/403: Evidence of the injunction			40	25	41	12		
				and/or post-injunction conduct is								
				irrelevant in light of the Court's								
				summary judgment ruling that								
				Defendant is not liable for any post-								
				injunction conduct.								
19	2	19	12	402/403: Evidence of the injunction			48	3	48	7		
				and/or post-injunction conduct is								
				irrelevant in light of the Court's								
				summary judgment ruling that								
				Defendant is not liable for any post-								
				injunction conduct.								
22	1	22	9	402, 403: Evidence of post-injunction			60	11	60	15	Confidential	
				conduct is irrelevant in light of the								
				Court's summary judgment ruling that								
				Defendant is not liable for any post-								
				injunction conduct.								
22	15	22	18	402/403: Evidence of post-injunction			67	10	67	21	Confidential	
				conduct is irrelevant in light of the								
				Court's summary judgment ruling that								
				Defendant is not liable for any post-								
				injunction conduct.								
23	12	23	14	402/403: Evidence of post-injunction			68	17	70	11	Confidential	
				conduct is irrelevant in light of the								
				Court's summary judgment ruling that								
				Defendant is not liable for any post-								
				injunction conduct.								
23	18	23	10	402, 403: Evidence of post-injunction			70	12	73	6	Confidential	1
-3	-0	-3		conduct is irrelevant in light of the			'0		,,,		2542111141	
				Court's summary judgment ruling that								
				Defendant is not liable for any post-								
				injunction conduct.								
24	1	24	17	402, 403: Evidence of post-injunction			73	a	74	5		
24	4	24	1,	conduct is irrelevant in light of the			/3	9	/4			
				Court's summary judgment ruling that								
				Defendant is not liable for any post-								
				injunction conduct.								
25	2	25		402, 403: Evidence of post-injunction			82	2	83	6		1
23	2	23	,	conduct is irrelevant in light of the			02	2	03			
				Court's summary judgment ruling that								
				1 1 1								
				Defendant is not liable for any post-								
				injunction conduct.		1				ļ	<u> </u>	

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25	12	25	19	402, 403: Evidence of post-injunction			83	8	83	9		
				conduct is irrelevant in light of the				_				
				Court's summary judgment ruling that								
				Defendant is not liable for any post-								
				injunction conduct.								
26	2	26	12	402, 403: Evidence of post-injunction			83	11	83	14		
20	2	20	13	conduct is irrelevant in light of the			63	11	65	14		
				-								
				Court's summary judgment ruling that								
				Defendant is not liable for any post-								
-				injunction conduct.								
26	15	26	15	402, 403: Evidence of post-injunction			83	19	83	19		
				conduct is irrelevant in light of the								
				Court's summary judgment ruling that								
				Defendant is not liable for any post-								
				injunction conduct.								
28	11	28	23				83					
29	3	32	18	402, 403, H: Evidence of post-			83	24	83	24		
				injunction conduct is irrelevant in light								
				of the Court's summary judgment								
				ruling that Defendant is not liable for								
				any post-injunction conduct; further,								
				this document is being offered for the								
				truth of the matter asserted, and no								
				hearsay exception applies. These are								
				not statements of a party opponent								
				and no foundation has been laid to								
				show this document is a business								
				record or subject to any other								
				exception.								
35	25	36	2	402, 403, H: Evidence of post-			84	1	84	2		
				injunction conduct is irrelevant in light								
				of the Court's summary judgment								
				ruling that Defendant is not liable for								
				any post-injunction conduct; further,								
				this document is being offered for the								
				truth of the matter asserted, and no								
				hearsay exception applies. These are								
				not statements of a party opponent								
				and no foundation has been laid to								
				show this document is a business								
				record or subject to any other								
				exception.								
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36	6	36	13	402, 403, H: Evidence of post-			84	4	84	4		
				injunction conduct is irrelevant in light								
				of the Court's summary judgment								
				ruling that Defendant is not liable for								
				any post-injunction conduct; further,								
				this document is being offered for the								
				truth of the matter asserted, and no								
				hearsay exception applies. These are								
				not statements of a party opponent								
				and no foundation has been laid to								
				show this document is a business								
				record or subject to any other								
—				exception.								
36	19	36	19	402, 403, H: Evidence of post-			84	6	84	8		
				injunction conduct is irrelevant in light								
				of the Court's summary judgment								
				ruling that Defendant is not liable for								
				any post-injunction conduct; further,								
				this document is being offered for the								
				truth of the matter asserted, and no								
				hearsay exception applies. These are								
				not statements of a party opponent								
				and no foundation has been laid to								
				show this document is a business								
				record or subject to any other								
37	19	37	22	exception.			84	10	84	15		
37	19	3/	22	402, 403: Evidence of the injunction			84	10	84	15		
				and/or post-injunction conduct is								
				irrelevant in light of the Court's								
				summary judgment ruling that								
				Defendant is not liable for any post-								
				injunction conduct.								
38	1	38	5	402, 403: Evidence of the injunction			84	17	84	17	1	
				and/or post-injunction conduct is								
				irrelevant in light of the Court's								
				summary judgment ruling that							1	
				Defendant is not liable for any post-							1	
				injunction conduct.								
40	10	40	24	FRCP 26/37, O – The Parties stipulated,			84	19	85	13		
				and the Court ordered, the exchange								
				of "narrowed affirmative designations"								
				in light of the Court's pretrial rulings.							1	
				Dkt. 568. This testimony was								
				designated by Rearden for the first							1	
				time on November 8; it was therefore								
				not timely disclosed under FRCP								
				26(a)(3) and the Case Management								
				Order and should be excluded under								
				IEDCD 27/a\/1\	1	•						
				FRCP 37(c)(1).								

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41	13	41	21	1 402, 403: Evidence of the injunction 86 14 86 18	
41	13	41	21		
				and/or post-injunction conduct is	
				irrelevant in light of the Court's	
				summary judgment ruling that	
				Defendant is not liable for any post-	
ļ				injunction conduct.	
41	23	41	24	4 402, 403, O: Evidence of the injunction	
				and/or post-injunction conduct is	
				irrelevant in light of the Court's	
				summary judgment ruling that	
				Defendant is not liable for any post-	
				injunction conduct.; further, any	
				probative value is outweighed by the	
				risk of the jury drawing an improper	
				adverse inference from Defendant's	
				assertion of privilege over the	
				referenced communications with	
				counsel.	
42	6	42	9	8 402, 403: Evidence of the injunction	
	ŭ			and/or post-injunction conduct is	
				irrelevant in light of the Court's	
				summary judgment ruling that	
				Defendant is not liable for any post-	
				injunction conduct.	
42	10	42	12	2 402, 403, O: Evidence of the injunction	
72	10	72	12	and/or post-injunction conduct is	
				irrelevant in light of the Court's	
				summary judgment ruling that	
				Defendant is not liable for any post-	
				injunction conduct; further, any	
				probative value is outweighed by the	
				risk of the jury drawing an improper	
				adverse inference from Defendant's	
				assertion of privilege over the	
				referenced communications with	
1				counsel.	
44	2	44	5	5 402, 403: Evidence of the injunction	
				and/or post-injunction conduct is	
				irrelevant in light of the Court's	
				summary judgment ruling that	
				Defendant is not liable for any post-	
				injunction conduct.	
				injunction conduct.	

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44	7	44	9	402, 403, O: Evidence of the injunction						
	,			and/or post-injunction conduct is						
				irrelevant in light of the Court's						
				_						
				summary judgment ruling that						
				Defendant is not liable for any post-						
				injunction conduct; further, any						
				probative value is outweighed by the						
				risk of the jury drawing an improper						
				adverse inference from Defendant's						
				assertion of privilege over the						
				referenced communications with						
				counsel.						
44	19	45	4	402, 403: Evidence of the injunction						
				and/or post-injunction conduct is						
				irrelevant in light of the Court's						
				summary judgment ruling that						
				Defendant is not liable for any post-						
				injunction conduct.						
45	8	45	9	402, 403, H: Evidence of the injunction						
				and/or post-injunction conduct is						
				irrelevant in light of the Court's						
				summary judgment ruling that						
				Defendant is not liable for any post-						
				injunction conduct; further, the email						
				being referred to is being offered by						
				Plaintiffs for the truth of the matter						
				asserted and no hearsay exception						
				applies. These are not statements of a						
				party opponent and no foundation has						
				been laid to show the document is a						
				business record.						
45	16	45	16	402, 403, H: Evidence of the injunction	 					
				and/or post-injunction conduct is						
				irrelevant in light of the Court's						
				summary judgment ruling that						
				Defendant is not liable for any post-						
				injunction conduct; further, the email						
				being referred to is being offered by						
				Plaintiffs for the truth of the matter						
				asserted and no hearsay exception						
				applies. These are not statements of a						
				party opponent and no foundation has						
				been laid to show the document is a						
				business record.						
					}	 			•	

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45	22	45	25 402, 4	03, H: Evidence of the injunction					
				or post-injunction conduct is					
				vant in light of the Court's					
				nary judgment ruling that					
				dant is not liable for any post-					
				tion conduct; further, the email					
			-	referred to is being offered by					
			_	iffs for the truth of the matter					
				ed and no hearsay exception					
				es. These are not statements of a					
				opponent and no foundation has					
			1	laid to show the document is a					
				ess record.					
47	13	47		03/MIL 7 - For the reasons stated					
47	13	47		endant's MIL No. 7, evidence of					
				opyright notice" is not relevant					
				ny probative value is substantially					
				• •					
				eighed by the risk of confusing					
				sues, misleading the jury, and					
47	22	47		dicing Defendant.					
47	22	47		03/MIL 7 - For the reasons stated					
				endant's MIL No. 7, evidence of					
				opyright notice" is not relevant					
				ny probative value is substantially					
				eighed by the risk of confusing					
				sues, misleading the jury, and					
47	25	48		dicing Defendant.					
47	25	48		03/MIL 7 - For the reasons stated					
				endant's MIL No. 7, evidence of					
				opyright notice" is not relevant					
				ny probative value is substantially					
				eighed by the risk of confusing					
				sues, misleading the jury, and					
				dicing Defendant.					
48	8	48		03/MIL 7 - For the reasons stated					
				endant's MIL No. 7, evidence of					
				opyright notice" is not relevant					
				ny probative value is substantially					
				eighed by the risk of confusing					
				sues, misleading the jury, and					
				dicing Defendant.					
48	11	48		03/MIL 7 - For the reasons stated					
				endant's MIL No. 7, evidence of					
				opyright notice" is not relevant					
				ny probative value is substantially					
				eighed by the risk of confusing					
				sues, misleading the jury, and					
			prejud	dicing Defendant.					

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40	4.2	40	- 10	402/402/4411 7 5 11		I		ı	1	l	
48	13	48	16	402/403/MIL 7 - For the reasons stated							
				in Defendant's MIL No. 7, evidence of							
				the "copyright notice" is not relevant							
				and any probative value is substantially							
				outweighed by the risk of confusing							
				the issues, misleading the jury, and							
				prejudicing Defendant. Further,							
				Defendant objects to the incomplete							
				designation of a question without the							
				accompanying answer.							
48	21	48	25	402/403/MIL 7 - For the reasons stated							
				in Defendant's MIL No. 7, evidence of							
				the "copyright notice" is not relevant							
				and any probative value is substantially							
				outweighed by the risk of confusing							
				the issues, misleading the jury, and							
				prejudicing Defendant.							
49	16	51	20		Confidential						
52	15	52	21		Confidential						
53	2	54	15		Confidential						
55	1	55	18		Confidential						
56	6	56	9		Confidential						
56	12	56	20		Confidential						
57	6	57	11		Confidential						
57	25	58	2		Confidential						
58	4	58	7		Confidential						
58	9	58	9		Confidential						
58	13	58	22		Confidential						
59	19	60	3		Confidential						
60	16	61	24		Confidential						
62	3	62	7		Confidential						
62	9	63	2		Confidential						
				•		•	•				

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					Dan Si	tevens – February 7, 2023							
	Plaintiffs' D	esignation	3	Defendant's Objections	Rearden's Response	Defendant's Confidentiality	Ruling	Defen	dant's Cou	nter-Design	ations	Plaintiffs'	Ruling
						Designation						Objections	
Page	Line Start	Page End	Line End					Page	Line Start	Page End	Line End		
Start								Start					
į	5 23	6	5					21	25	22	6	Disney's	
												counterdesignati	
												ons are not	
												sequential with	
												and do not relate	
												to Rearden's	
												designations, and	
												thus will result in	
												juror confusion.	
												They should be	
												stricken on that	
												basis. Disney	
												may offer them	
												in its case in	
												chief. Rearden	
												incorporates this	
												objection into	
												each and every	
												Disney	
												counterdesignati	
												on.	

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6	8	6	16 6:12-16: FRCP 26/37, O – The Parties	Disney's objections are too numerous		22	7	22	24	
		Ĭ	stipulated, and the Court ordered, the				·			
			exchange of "narrowed affirmative	not respond individually. Often,						
			_							
			designations" in light of the Court's	testimony Disney claims was not						
			pretrial rulings. Dkt. 568. This	previously designated was, in fact,						
			testimony was designated by Rearden							
			for the first time on November 8; it wa							
			therefore not timely disclosed under	that should have been asserted in the						
			FRCP 26(a)(3) and the Case	deposition and were not, so they are						
			Management Order and should be	waived. Many presume or assert that						
			excluded under FRCP 37(c)(1).	the Court has excluded evidence where						
				in fact there is no such order. Many						
				assert that objections or culloquy has						
				been designated when in fact there is						
				none in the designation. Many are not						
				evidentiary objections but rather						
				Disney arguing its theory of the case or						
				arguing with the witness over						
				testimony that it does not like. Many						
				are relevance objections that the Court						
				has stated would likely be overruled.						
				Rearden requests that the Court						
				overrule all of Disney's objections as						
				excessive. Rearden incorporates this						
				response into each and every Disney						
				objection.						
				,						
9	1	9	2			35	22	36	4	
9	7	9	12		Confidential	46	22	46	25	
17	10	17	20		Confidential	49	8	49	10	
21	4	21	24			49	13	49	14	
31	16	33	12			49	16	49	23	
33	17	35	21			50	1	50	9	
36	6	39	13			52	. 1	52	13	
40	11	40	14			52	. 19	53	11	
40	15	42	2							
42	4	42	12 42:8-12: Arg, 103. Misstates the							
			testimony and assumes the witness is							
			talking about something he is not.							
42	15	42	21 42:19-21: Arg, 103. Misstates the							
			testimony and assumes the witness is							
			talking about something he is not.							
42	23	43	1							
43	4	43	6							
43	9	44	7							
44	9	44	11							
44	14	44	16							
44	19	45	10							
	1.7	7.7		1	I	1	1	1		1

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45	12	45	18							
45	20	45	20							
45	22	46	21							t 1
47	1	48	25 48:15-22: FRCP 26/37, O – The Parties							
"			stipulated, and the Court ordered, the							1
			exchange of "narrowed affirmative							1
			designations" in light of the Court's							
			pretrial rulings. Dkt. 568. This							
			testimony was designated by Rearden							
			for the first time on November 8; it was							1
			therefore not timely disclosed under							
			FRCP 26(a)(3) and the Case							
			Management Order and should be							
			excluded under FRCP 37(c)(1).							
49	2	49	7							
50	11	50	12							
50	14	50	16							
50	18	51	25 50:24-51:20: FRCP 26/37, O – The							
	10	31	Parties stipulated, and the Court							
			ordered, the exchange of "narrowed							1
			affirmative designations" in light of the							
			Court's pretrial rulings. Dkt. 568. This							1
			testimony was designated by Rearden							
			for the first time on November 8; it was							
			therefore not timely disclosed under							1
			FRCP 26(a)(3) and the Case							
			Management Order and should be							
			excluded under FRCP 37(c)(1).							
					l	l	l	l		

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					David	Taritero - March 3, 2023								
	Plaintiffs' D			Defendant's Objections	Rearden's Response		Ruling		dant's Cour			Plaintiffs' Objections	Defendant's Confidentiality Designation	Ruling
Page	Line Start	Page End	Line End			Defendant's Confidentiallity			Line Start	Page End	Line End			
Start						Designation		Start						
9) 10	3	17					89		89	,	Disney's counterdesignations are not sequential with and do not relate to Rearden's designations, and thus will result in juror confusion. They should be stricken on that		
												may offer them in its case in chief. Rearden incorporates this objection into each and every Disney counterdesignati on.		

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9	25	10		10:3-5: 402- The witness's home	Disney's objections are too numerous		92	4	92	12		
		10		address is not relevant; there is no	and so lacking in merit that Rearden		32	· l				
				legitimate reason to disclose it publicly								
				legitimate reason to disclose it publicly	testimony Disney claims was not							
					previously designated was, in fact,							
					designated previously. Many							
					objections to the form of the question							
					that should have been asserted in the							
					deposition and were not, so they are							
					waived. Many presume or assert that							
					the Court has excluded evidence where							
					in fact there is no such order. Many							
					assert that objections or culloquy has							
					been designated when in fact there is							
					none in the designation. Many are not							
					evidentiary objections but rather							
					Disney arguing its theory of the case or							
					arguing with the witness over							
					testimony that it does not like. Many							
					are relevance objections that the Court							
					has stated would likely be overruled.							
					Rearden requests that the Court							
					overrule all of Disney's objections as							
					excessive. Rearden incorporates this							
					response into each and every Disney							
					objection.							
					objection.							
14	9	14	13	DOC - This testimony concerns a			107	6	107	8		
				document (displayed on screen in the								
				deposition video) that is not a trial								
				exhibit and may not be published to								
				the jury								
20	10	21	22	2 20:12-13: ATT, 402, 403 - Attorney			107	13	107	16		
				objections are not relevant and may								
				cause the jury to draw improper and								
				prejudicial inferences. All objections								
24	9	24	19	and colloquy should be omitted			107	18	107	21	1	+
25	10	25	22				107	16	107	21		
26	17			DOC - This testimony concerns a			115	18	115	23		
20				document (displayed on screen in the			113		110	23		
				deposition video) that is not a trial								
				exhibit and may not be published to								
27	г	27	10	the jury			116	22	117	2	Confidential	-
2/	5	2/	10	DOC, F - This testimony concerns a			116	22	11/	2	Confidential	
				document (displayed on screen in the								
				deposition video) that is not a trial								
				exhibit and may not be published to								
				the jury; Mr. Taritero testified that he								
				does not know how this webpage is								
				created and therefore lacks foundation								
1		1		to testify about it	1	l	l					l l

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29	6	29	9	DOC - This testimony concerns a				132	23	133	14		
	ŭ		,	document (displayed on screen in the				102		100			
				deposition video) that is not a trial									
				exhibit and may not be published to									
				the jury									\vdash
29	21	29	23	DOC - This testimony concerns a				139	15	139	22		
				document (displayed on screen in the									
				deposition video) that is not a trial									
				exhibit and may not be published to									
				the jury									
30	12	30	22	DOC - This testimony concerns a				144	9	144	13		
				document (displayed on screen in the									
				deposition video) that is not a trial									
				exhibit and may not be published to									
				the jury									
31	22	32	20	DOC - This testimony concerns a				144	21	145	6		i i
		-		document (displayed on screen in the						-	-		
				deposition video) that is not a trial									
				exhibit and may not be published to									
				the jury									
34	5	34	8	the jury				190	13	191	8		
42	14	43	2					191	9		1		
43	18	43	24					151	,	133			
83	6	83	15										
83	19	83	21										1
85	5	85		DOC - This testimony concerns a									
	,	05	10	document (displayed on screen in the									
				deposition video) that is not a trial									
				exhibit and may not be published to									
				the jury									
85	21	85	24	DOC - This testimony concerns a									
83	2.1	65	24	document (displayed on screen in the									
				deposition video) that is not a trial									
				exhibit and may not be published to									
0.5		0.0		the jury									
86	2	86	7	DOC - A document is displayed on									
				screen in the deposition video that is									
				not a trial exhibit and may not be									
				published to the jury									
86	14	86	16	DOC - This testimony concerns a									
				document (displayed on screen in the								1	
				deposition video) that is not a trial								1	
				exhibit and may not be published to								1	
				the jury									
87	1	87	19	DOC - This testimony concerns a								1	1 7
				document (displayed on screen in the								1	
				deposition video) that is not a trial								1	
				exhibit and may not be published to									
				the jury									
87	23	87	25										
88	7	88	11										† †
88	18	89	1										
90	19	90	22										
				•	•	•	•		•			•	

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91	1	91	1								
91	4	91	7								
91	23	92	3			-	1				
92	25	93									-
93	12	93	12								-
93	12	93									
94	5	94	9	ATT, 402, 403 - Attorney colloquy is not							
				relevant and may cause the jury to							
				draw improper and prejudicial							
				inferences. All objections and colloquy							
				should be omitted							
94	17	94	19								
95	7	95	9								
95	19	95	21								
96	3	96	20	402, 403: Evidence of post-injunction							
				conduct is irrelevant in light of the							
				Court's summary judgment ruling that							
				Defendant is not liable for any post-							
				injunction conduct							
96	25	97	8	402, 403: Evidence of post-injunction							
				conduct is irrelevant in light of the							
				Court's summary judgment ruling that							
				Defendant is not liable for any post-							
				injunction conduct.							
97	15	99	18	402, 403: Evidence of post-injunction							
]		33		conduct is irrelevant in light of the							
				Court's summary judgment ruling that							
				Defendant is not liable for any post-							
				injunction conduct							
99	22	99	22								-
99	22	99	23	402, 403: Evidence of post-injunction							
				conduct is irrelevant in light of the							
				Court's summary judgment ruling that							
				Defendant is not liable for any post-							
				injunction conduct							
99	25	100	3	402, 403: Evidence of post-injunction							
				conduct is irrelevant in light of the							
				Court's summary judgment ruling that							
				Defendant is not liable for any post-							
				injunction conduct							
100	23	101	2	402, 403: Evidence of post-injunction							
				conduct is irrelevant in light of the							
				Court's summary judgment ruling that							
				Defendant is not liable for any post-							
				injunction conduct							
101	8	101	9	402, 403: Evidence of post-injunction							
				conduct is irrelevant in light of the							
				Court's summary judgment ruling that							
				Defendant is not liable for any post-							
				injunction conduct							
106	20	107	5	402, 403: Evidence of post-injunction							
100	20	107	,	conduct is irrelevant in light of the							
				_							
				Court's summary judgment ruling that							
				Defendant is not liable for any post-							
<u> </u>				injunction conduct		1	l		1		

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109	17	111	2	110:4-111:3: 402, 403: Evidence of		1				ı
109	17	111	3							
				post-injunction conduct is irrelevant in						
				light of the Court's summary judgment						
				ruling that Defendant is not liable for						
114	5	114	1.4	any post-injunction conduct						-
114	5	114	14	402, 403: Evidence of post-injunction						
				conduct is irrelevant in light of the						
				Court's summary judgment ruling that						
				Defendant is not liable for any post-						
				injunction conduct						
114	18	114	19	402, 403: Evidence of post-injunction						
				conduct is irrelevant in light of the						
				Court's summary judgment ruling that						
				Defendant is not liable for any post-						
				injunction conduct						
115	10	115	17	DOC - This testimony concerns a						
				document (displayed on screen in the						
				deposition video) that is not a trial						
				exhibit and may not be published to						
				the jury						
				402, 403: Evidence of post-injunction						
				conduct is irrelevant in light of the						
				Court's summary judgment ruling that						
				Defendant is not liable for any post-						
				injunction conduct						
115	24	115	25	DOC - This testimony concerns a						
				document (displayed on screen in the						
				deposition video) that is not a trial						
				exhibit and may not be published to						
				the jury						
116	17	116	21	DOC - This testimony concerns a						
				document (displayed on screen in the						
				deposition video) that is not a trial						
				exhibit and may not be published to						
				the jury						
				402, 403: Evidence of post-injunction						
				conduct is irrelevant in light of the						
				Court's summary judgment ruling that						
				Defendant is not liable for any post-						
				injunction conduct						
117	3	117	8		Confidential					
117	13	117	16		Confidential					
117	20	117	25		Confidential					
118	7	118	22		Confidential					
119	16	120	18		Confidential					
120	22	120	25		Confidential					
121	13	121	15		Confidential					
121	19	121	25		 Confidential					

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122	21	124	4 122:21-22: 403 - The Court has excluded evidence of the indemnification provision in this contract under FRE 403; that provision is visible on screen during this portion of the witness's testimony and may not be published to the jury. Defendant will withdraw this objection if Plaintiffs redact the portion of the screen that	Confidential	
			displays the indemnification provision. 122:25-123:7: MIL 5, 403 - The Court has excluded evidence of the indemnification provision in this contract under FRE 403; that provision is visible on screen during this portion of the witness's testimony and may not be published to the jury. Defendant will withdraw this objection if Plaintiffs redact the portion of the screen that displays the indemnification provision.	Confidential	
124	8	124	16	Confidential Confi	
124	21	125	3	Confidential	
125	8	125	12	Confidential	
125	15	125	25	Confidential Confi	
126	5	126	6	Confidential	
126	19	126	22	Confidential Confidence Confidenc	
127	1	127	7 127:3-7: 402, 403: Evidence of post- injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct		
128	6	128	8 FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).		

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128	13	128		FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).						
129	17	130	11							
131	25	132	12							
132	17	133		132:22-133:14: FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).						
136	6	136		FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of 'narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).						
138	24	139	6							
139	12	139	13							
139	23	139	24							
140	5	140	8							
141	17	141	22							
142	4	142	20			ļ				

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143	15	143		FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).					
143	20	143	13	144:8-13: FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).					
145	17	146	4	DOC - This testimony concerns a document (displayed on screen in the deposition video) that is not a trial exhibit and may not be published to the jury					
146	10	146		146:10-17: DOC - This testimony concerns a document (displayed on screen in the deposition video) that is not a trial exhibit and may not be published to the jury					
146	24	147		147:4-9: DOC - This testimony concerns a document (displayed on screen in the deposition video) that is not a trial exhibit and may not be published to the jury					
147	13	148	5	DOC - This testimony concerns a document (displayed on screen in the deposition video) that is not a trial exhibit and may not be published to the jury					

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	-	- 1			T		ı				
148	10	148	14	402, 403: The Court has excluded the							
				preliminary injunction order. Dkt. 584.							
				Moreover, evidence of the injunction							
				and/or post-injunction conduct is							
				irrelevant in light of the Court's							
				summary judgment ruling that							
				Defendant is not liable for any post-							
				injunction conduct							
148	22	149	9	402, 403: The Court has excluded the							
				preliminary injunction order. Dkt. 584.							
				Moreover, evidence of the injunction							
				and/or post-injunction conduct is							
				irrelevant in light of the Court's							
				summary judgment ruling that							
				Defendant is not liable for any post-							
				injunction conduct							
153	23	154	12	402, 403: Evidence of post-injunction			1				
				conduct is irrelevant in light of the							
				Court's summary judgment ruling that							
				Defendant is not liable for any post-							
				injunction conduct							
				154:9-12: FRCP 26/37, O – The Parties							
				stipulated, and the Court ordered, the							
				exchange of "narrowed affirmative							
				-							
				designations" in light of the Court's							
				pretrial rulings. Dkt. 568. This							
				testimony was designated by Rearden							
				for the first time on November 8; it was							
				therefore not timely disclosed under							
				FRCP 26(a)(3) and the Case							
				Management Order and should be							
				excluded under FRCP 37(c)(1).							
157	3	157	8	402, 403: Evidence of post-injunction							
	-			conduct is irrelevant in light of the							
				Court's summary judgment ruling that							
				Defendant is not liable for any post-							
1.5-				injunction conduct	Confidential						
167	10	167	14		Confidential						
168	8	168	10		Confidential						
168	16	169	5		Confidential						
169	11	169	19		Confidential						
169	23	169	23		Confidential						
171	4	171	14		 Confidential						
172	4	172	15		 Confidential						
172	22	174	20		Confidential						
176	6	176	13	DOC - This testimony concerns a							
				document (displayed on screen in the							
				deposition video) that is not a trial			1				
1 1				exhibit and may not be published to							
\Box				the jury	I	<u> </u>	l			l .	

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177	13	177	12	DOC - This testimony concerns a						
1//	15	1//	13	•						
				document (displayed on screen in the						
				deposition video) that is not a trial						
				exhibit and may not be published to						
				the jury						
181	7	181	8							
181	11	181	11							
182	2	182	11							
182	16	183	1							
183	21	184	2	183:25-184:2: 402, 403: Evidence of						
				the injunction and/or post-injunction						
				conduct is irrelevant in light of the						
				Court's summary judgment ruling that						
				Defendant is not liable for any post-						
				injunction conduct						
184	15	184	24	402, 403: Evidence of injunction and/or						
104	13	104	2-7	post-injunction conduct is irrelevant in						
				light of the Court's summary judgment						
				ruling that Defendant is not liable for						
				any post-injunction conduct						
193	6	193	8	402, 403: Evidence of post-injunction						
				conduct is irrelevant in light of the						
				Court's summary judgment ruling that						
				Defendant is not liable for any post-						
				injunction conduct						
				FRCP 26/37, O – The Parties stipulated,						
				and the Court ordered, the exchange of						
				"narrowed affirmative designations" in						
1				light of the Court's pretrial rulings. Dkt.						
				568. This testimony was designated by						
				Rearden for the first time on November						
				8; it was therefore not timely disclosed						
1				under FRCP 26(a)(3) and the Case						
				Management Order and should be						
1				excluded under FRCP 37(c)(1).						
				2.0.0.0.0.0.0.0.0.0.0.0.0.0.0.0.0.0.0.0						
1										
193	24	194	5	402, 403: Evidence of post-injunction						
		134	,	conduct is irrelevant in light of the						
1				Court's summary judgment ruling that						
1				Defendant is not liable for any post-						
1										
				injunction conduct		l				

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			FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).					
196	8	196	196:8-10: 402, 403: Evidence of post- injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct 196:11-14: ATT, 402, 403 - Attorney objections are not relevant and may cause the jury to draw improper and prejudicial inferences. All objections and colloguy should be omitted					
			FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).					

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					Emma V	Vatson – April 18, 2023								
	Plaintiffs' D	esignation	s	Defendant's Objections	Rearden's Response	Defendant's Confidentiality	Ruling	Defen	dant's Cour	nter-Design	ations	Plaintiffs'		Ruling
						Designation						Objections	Confidentiality	
													Designation	
Page	Line Start	Page End	Line End					Page	Line Start	Page End	Line End			
Start								Start						
8	9	8	16					14	23	15	6	Disney's		
												counterdesignati		
												ons are not		
												sequential with		
												and do not		
												relate to		
												Rearden's		
												designations,		
												and thus will		
												result in juror		
												confusion. They		
												should be		
												stricken on that		
												basis. Disney		
												may offer them		
												in its case in		
												chief. Rearden		
												incorporates this		
												objection into		
												each and every		
												Disney		
												counterdesignati		
												on.		
13	17	13	24					28	2	28	11		l	

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15	19	16	6	15:19-16:3: DOC, F, H - This testimony	Disney's objections are too numerous and		37	12	39	5	Confidential	
			Ĭ		so lacking in merit that Rearden will not		0,				communities	
					respond individually. Often, testimony							
					Disney claims was not previously							
					designated was, in fact, designated							
					previously. Many objections to the form of							
				7	the question that should have been							
					asserted in the deposition and were not, so							
					•							
					they are waived. Many presume or assert							
				•	that the Court has excluded evidence							
					where in fact there is no such order. Many							
					assert that objections or culloquy has been							
					designated when in fact there is none in							
					the designation. Many are not evidentiary							
					objections but rather Disney arguing its							
					theory of the case or arguing with the							
					witness over testimony that it does not							
					like. Many are relevance objections that							
					the Court has stated would likely be							
					overruled. Rearden requests that the Court							
					overrule all of Disney's objections as							
					excessive. Rearden incorporates this							
					response into each and every Disney							
					objection.							
				15:19-16:6: FRCP 26/37, O – The								
				Parties stipulated, and the Court								
				ordered, the exchange of "narrowed								
				affirmative designations" in light of the								
				Court's pretrial rulings. Dkt. 568. This								
				testimony was designated by Rearden								
				for the first time on November 8; it								
				was therefore not timely disclosed								
				under FRCP 26(a)(3) and the Case								
				Management Order and should be								
				excluded under FRCP 37(c)(1).								
				57(c)(1).								
17	3	17	10				41	19	42	18		

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18	9	19	3	18:23-19:3: FRCP 26/37, O – The			42	19	43	4			
				Parties stipulated, and the Court									
				ordered, the exchange of "narrowed									
				affirmative designations" in light of the									
				Court's pretrial rulings. Dkt. 568. This									
				testimony was designated by Rearden									
				for the first time on November 8; it									
				was therefore not timely disclosed									
				under FRCP 26(a)(3) and the Case									
				Management Order and should be									
				excluded under FRCP 37(c)(1).									
22	7	22	20				43	5	44	2			
23	12	23	22										
23	25		15										
24	22	25	7										
27	7	28	1										
29	2	29	2										
29	5	29	8	105 100 0 5 1 1 1 1 1 1 1 1									
29	13	29	17	106, 403 - Defendant does not object									
				to the use of clips as demonstratives to									
				facilitate a more efficient presentation									
				of evidence, but objects to this clip (TX343) coming into evidence as a									
				stand-alone exhibit under FRE 106 and									
				FRE 403 because it is misleading and									
				prejudicial for the jury consider only									
				the short snippet of this press									
				conference that addressed MOVA in									
				isolation; in fairness, the full press									
				conference must be submitted to the									
				jury at the same time.									
				, ,									
29	20	30	11								İ		
30	14	30	16										
30	19		3										
33	3	33	4		Confidential								
35	19		24		Confidential								
36	13		22		Confidential	1							
37	3	37	23		Confidential		ļ						
38	7	38	9		Confidential		ļ						
38	15	38	19		Confidential								
39	7	39	9		Confidential								
41	2 8	41 41	8			1							
41	8	41	8			L			<u> </u>	L	<u> </u>	<u> </u>	

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					Oliver "O.D." Welch – February 8, 2023	3						
I	Plaintiffs' [Designation	S	Defendant's Objections	Rearden's Response	Ruling	Defen	dant's Cou	nter-Design	ations	Plaintiffs' Objections	Ruling
Page Start	Line Start	Page End	Line End				Page Start	Line Start	Page End	Line End	,	
10	18	10		402 - Objection only as to the witness's home address; it is not relevant; there is no legitimate reason to disclose it publicly.			82	13	82	19	Disney's counterdesignations are not sequential with and do not relate to Rearden's designations, and thus will result in juror confusion. They should be stricken on that basis. Disney may offer them in its case in chief. Rearden incorporates this objection into each and every Disney counterdesignation.	
24	7	24		DOC This testimony concerns a document displayed on screen in the deposition video that is not a trial exhibit and may not be published to the jury.			82	23	82	23		

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	FRCP 26/37, O – The Parties stipulated, and the Court ordered, the exchange of "narrowed affirmative designations" in light of the Court's pretrial rulings. Dkt. 568. This testimony was designated by Rearden for the first time on November 8; it was therefore not timely disclosed under FRCP 26(a)(3) and the Case Management Order and should be excluded under FRCP 37(c)(1).	
186 3 186	Evidence of the injunction and post-injunction conduct. Evidence of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct.	
	This testimony concerns a document displayed on screen in the deposition video that is not a trial exhibit and may not be published to the jury.	
	Attorney objections and colloquy are not relevant and may cause the jury to draw improper and prejudicial inferences and are a waste of the jury's time. All objections and colloquy should be omitted.	

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186	17	186	18	DOC; 402; 403		190	6	190	13	
				Evidence of the injunction and post- injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. This testimony concerns a document displayed on screen in the deposition video that is not a trial exhibit and may not be published to the jury.						
186	20	186	20	DOC; 402; 403 Evidence of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. This testimony concerns a document displayed on screen in the deposition video that is not a trial exhibit and may not be published to the jury.		200	15	200	21	
186	22	186	24	DOC; 402; 403 Evidence of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. This testimony concerns a document displayed on screen in the deposition video that is not a trial exhibit and may not be published to the jury.		210	1	210	16	

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187	6	188	14	187:6-9: ATTY; DOC; 402; 403 Evidence		210	18	210	18	
				of the injunction and post-injunction						
				conduct is irrelevant in light of the						
				Court's summary judgment ruling that						
				Defendant is not liable for any post-						
				injunction conduct. This testimony						
				concerns a document displayed on						
				screen in the deposition video that is						
				not a trial exhibit and may not be						
				published to the jury. Attorney						
				objections and colloquy are not						
				relevant and may cause the jury to						
				draw improper and prejudicial						
				inferences and are a waste of the jury's						
				time. All objections and colloquy						
				should be omitted.						
				187:6-9: FRCP 26/37, O – The Parties						
				stipulated, and the Court ordered, the						
				exchange of "narrowed affirmative						
				designations" in light of the Court's						
				pretrial rulings. Dkt. 568. This						
				testimony was designated by Rearden						
				for the first time on November 8; it						
				was therefore not timely disclosed						
				under FRCP 26(a)(3) and the Case						
				Management Order and should be						
				excluded under FRCP 37(c)(1).						

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	107.10.15 000.100.115.11		240	20	240	25	
	187:10-15: DOC; 402; 403; H Evidence		210	20	210	25	
	of the injunction and post-injunction						
	conduct is irrelevant in light of the						
	Court's summary judgment ruling that						
	Defendant is not liable for any post-						
	injunction conduct. This testimony						
	concerns a document displayed on						
	screen in the deposition video that is						
	not a trial exhibit and may not be						
	published to the jury. This document						
	is being offered for the truth of the						
	matter asserted, and no hearsay						
	exception applies. The statements are						
	not admissions of a party opponent						
	and the document is not a business						
	record.						
	187:16-19: DOC; 402; 403; H Evidence		211	8	211	15	
	of the injunction and post-injunction						
	conduct is irrelevant in light of the						
	Court's summary judgment ruling that						
	Defendant is not liable for any post-						
	injunction conduct. This testimony						
	concerns a document displayed on						
	screen in the deposition video that is						
	not a trial exhibit and may not be						
	published to the jury. This document						
	is being offered for the truth of the						
	matter asserted, and no hearsay						
	exception applies. The statements are						
	reaccipation applies. The statements are 1						
	not admissions of a party opponent						
	not admissions of a party opponent and the document is not a business						
	not admissions of a party opponent						

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	1				1		
	187:20-23: DOC; 402; 403 Evidence of		211	16	212	9	
	the injunction and post-injunction						
	conduct is irrelevant in light of the						
	Court's summary judgment ruling that						
	Defendant is not liable for any post-						
	injunction conduct. This testimony						
	concerns a document displayed on						
	screen in the deposition video that is						
	not a trial exhibit and may not be						
	published to the jury.						
	187:20-23: FRCP 26/37, O – The Parties						
	stipulated, and the Court ordered, the						
	exchange of "narrowed affirmative						
	designations" in light of the Court's						
	pretrial rulings. Dkt. 568. This						
	testimony was designated by Rearden						
	for the first time on November 8; it						
	was therefore not timely disclosed						
	under FRCP 26(a)(3) and the Case						
	Management Order and should be						
	excluded under FRCP 37(c)(1).						
	excluded under ther 37(c)(1).						
	187:24-188:4: DOC; 402; 403; H		221	16	221	20	
	Evidence of the injunction and post-						
	injunction conduct is irrelevant in light						
	of the Court's summary judgment						
	ruling that Defendant is not liable for						
	any post-injunction conduct. This						
	testimony concerns a document						
	displayed on screen in the deposition						
	video that is not a trial exhibit and may						
	not be published to the jury. This						
	document is being offered for the						
	truth of the matter asserted, and no						
	hearsay exception applies. The						
	statements are not admissions of a						
	party opponent and the document is						
	not a business record.						
	<u> </u>						L

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188:5-6: DOC; 402; 403 Evidence of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. This testimony concerns a document displayed on screen in the deposition video that is not a trial exhibit and may not be published to the jury.	222	7	222	10	
188:7-12: DOC; 402; 403; H Evidence of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. This testimony concerns a document displayed on screen in the deposition video that is not a trial exhibit and may not be published to the jury. This document is being offered for the truth of the matter asserted, and no hearsay exception applies. The statements are not admissions of a party opponent and the document is not a business record.	222	12	222	12	
188:13-14: DOC; 402; 403 Evidence of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. This testimony concerns a document displayed on screen in the deposition video that is not a trial exhibit and may not be published to the jury.	238	14	238	16	

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188	23	189	12	188:23-189:4: DOC; 402; 403; H		238	23	238	23	
100	23	100	10	Evidence of the injunction and post-		230	25	230	23	
				injunction conduct is irrelevant in light						
				of the Court's summary judgment						
				ruling that Defendant is not liable for						
				any post-injunction conduct. This						
				testimony concerns a document						
				displayed on screen in the deposition						
				video that is not a trial exhibit and may						
				not be published to the jury. This						
				document is being offered for the						
				truth of the matter asserted, and no						
				hearsay exception applies. The						
				statements are not admissions of a						
				party opponent and the document is						
				not a business record.						
				189:5-8: DOC; 402; 403 Evidence of the		239	3	239	5	
				injunction and post-injunction conduct						
				is irrelevant in light of the Court's						
				summary judgment ruling that						
				Defendant is not liable for any post-						
				injunction conduct. This testimony						
				concerns a document displayed on						
				screen in the deposition video that is						
				not a trial exhibit and may not be						
				published to the jury.						

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				ı	1	1			
			189:9-18: DOC; 402; 403; H Evidence of		239	8	239	9	
			the injunction and post-injunction						
			conduct is irrelevant in light of the						
			Court's summary judgment ruling that						
			Defendant is not liable for any post-						
			injunction conduct. This testimony						
			concerns a document displayed on						
			screen in the deposition video that is						
			not a trial exhibit and may not be						
			published to the jury. This document						
			is being offered for the truth of the						
			matter asserted, and no hearsay						
			exception applies. The statements are						
			not admissions of a party opponent						
			and the document is not a business						
			record.						
199	2 199	17	199:2-7: ATTY; DOC; 402; 403 Evidence		239	11	239	14	
		Τ,			239	11	239	14	
			of the injunction and post-injunction		239	11	239	14	
					259		239	14	
			of the injunction and post-injunction		239	11	239	14	
			of the injunction and post-injunction conduct is irrelevant in light of the		239		239	14	
			of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that		239	11	239	14	
			of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-		239	11	239	14	
			of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post- injunction conduct. This testimony		239	11	239	14	
			of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. This testimony concerns a document displayed on		239	11	239	14	
			of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. This testimony concerns a document displayed on screen in the deposition video that is not a trial exhibit and may not be		239	11	239	14	
			of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. This testimony concerns a document displayed on screen in the deposition video that is		239	11	239	14	
			of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. This testimony concerns a document displayed on screen in the deposition video that is not a trial exhibit and may not be published to the jury. Attorney		239		239	14	
			of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. This testimony concerns a document displayed on screen in the deposition video that is not a trial exhibit and may not be published to the jury. Attorney objections and colloquy are not relevant and may cause the jury to		239		239	14	
			of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. This testimony concerns a document displayed on screen in the deposition video that is not a trial exhibit and may not be published to the jury. Attorney objections and colloquy are not relevant and may cause the jury to draw improper and prejudicial		239		239	14	
			of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. This testimony concerns a document displayed on screen in the deposition video that is not a trial exhibit and may not be published to the jury. Attorney objections and colloquy are not relevant and may cause the jury to draw improper and prejudicial inferences and are a waste of the jury's		239		239	14	
			of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. This testimony concerns a document displayed on screen in the deposition video that is not a trial exhibit and may not be published to the jury. Attorney objections and colloquy are not relevant and may cause the jury to draw improper and prejudicial		239		239	14	
			of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. This testimony concerns a document displayed on screen in the deposition video that is not a trial exhibit and may not be published to the jury. Attorney objections and colloquy are not relevant and may cause the jury to draw improper and prejudicial inferences and are a waste of the jury's time. All objections and colloquy		239		239	14	

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	199:8-15: DOC; 402; 403; H Evidence of	239	17	239	17	
	the injunction and post-injunction	233	1/	233	1/	
	conduct is irrelevant in light of the					
	Court's summary judgment ruling that					
	Defendant is not liable for any post-					
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	not a trial exhibit and may not be					
	published to the jury. This document					
	is being offered for the truth of the					
	matter asserted, and no hearsay					
	exception applies. The statements are					
	not admissions of a party opponent					
	and the document is not a business					
	record.					
	199:16-17: DOC; 402; 403 Evidence of	244	18	245	4	
	the injunction and post-injunction					
	conduct is irrelevant in light of the					
	Court's summary judgment ruling that					
	Defendant is not liable for any post-					
	injunction conduct. This testimony					
	concerns a document displayed on					
	screen in the deposition video that is					
	not a trial exhibit and may not be					
	published to the jury.					
199 21 200 2	199:21: DOC; 402; 403 Evidence of the	245	7	245	14	
	injunction and post-injunction conduct					
	is irrelevant in light of the Court's					
	summary judgment ruling that					
	Defendant is not liable for any post-					
	injunction conduct. This testimony					
	concerns a document displayed on					
	screen in the deposition video that is					
	not a trial exhibit and may not be					
	published to the jury.					

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		199:22-24: DOC; 402; 403 Evidence of the injunction and post-injunction conduct is irrelevant in light of the		246	21	246	24	
		Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. This testimony concerns a document displayed on screen in the deposition video that is not a trial exhibit and may not be						
		published to the jury.						
		199:25-200:2: DOC; 402; 403 Evidence of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. This testimony concerns a document displayed on screen in the deposition video that is not a trial exhibit and may not be published to the jury.		247	2	247	6	
200 4	200 10	200:4-6: DOC; 402; 403 Evidence of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. This testimony concerns a document displayed on screen in the deposition video that is not a trial exhibit and may not be published to the jury.		252	7	253	3	

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				200:7-10: DOC; 402; 403 Evidence of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. This testimony concerns a document displayed on screen in the deposition video that is not a trial exhibit and may not be published to the jury.				
200	13	200	13	DOC; 402; 403 Evidence of the injunction and post-injunction conduct is irrelevant in light of the Court's summary judgment ruling that Defendant is not liable for any post-injunction conduct. This testimony concerns a document displayed on screen in the deposition video that is not a trial exhibit and may not be published to the jury.				